

Standing Appropriations Bill Senate File 452

Last Action:

Senate Floor

April 29, 2013

An Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>

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FUNDING SUMMARY

Senate File 452 makes adjustments to standing appropriations currently in statute as well as making various new appropriations. This Bill impacts General Fund appropriations levels for FY 2013 through FY 2015 as follows:

Page 1, Line 1

- FY 2013: Provides supplemental appropriations totaling \$19.7 million.
- FY 2014: Provides a net increase in appropriations of \$492,000.
- FY 2015: Provides a net decrease in appropriations of \$4.9 million.

Within current statute, there are \$2,988.1 million in General Fund standing appropriations estimated for FY 2014 and \$2,991.0 million for FY 2015. This Bill reduces current law standing appropriations by a net total of \$11.3 million in FY 2014 and \$6.4 million in FY 2015. Additionally, this Bill provides new appropriations totaling \$11.8 million for FY 2014 and \$11.3 million in FY 2015.

FY 2013 General Fund Supplemental Appropriations:

- Appropriates \$9.6 million for the Fire and Police Retirement Fund in Iowa Code chapter 411.
- Appropriates \$5.0 million to the Department of Transportation for distribution to public transit systems for vehicle purchases.
- Appropriates \$5.0 million to the Peace Office Retirement Fund.
- Appropriates \$50,000 to the Department of Public Safety to provide administrative support to the Public Safety Training and Facilities Task Force.

Adjustments to General Fund standing appropriations for FY 2014 and FY 2015:

- Notwithstanding the appropriation to the Department of Education for Instructional Support State Aid, resulting in no funding for the program in FY 2014 and FY 2015. This represents an appropriation reduction of \$14.8 million in both fiscal years.
- Limits the funding to the Department of Education for nonpublic school transportation to \$8.6 million for FY 2014 and FY 2015, a reduction of \$1.1 million compared to the estimated amount needed to fully fund the program.

- Increases the number of years limited English proficient (LEP) students are eligible to generate supplementary weighting for excess costs associated with LEP instruction from four years to seven. This results in an increase to the State School Aid appropriation of \$4.5 million in FY 2014 and \$9.5 million in FY 2015.
- Increases the annual standing appropriation for the Special Olympics from \$50,000 to \$100,000 beginning in FY 2014.
- Limits the funding to the Department of Revenue for tobacco reporting enforcement to \$18,416 in FY 2014 and \$9,208 in FY 2015. This a reduction of \$6,600 for FY 2014 compared to the standing appropriation of \$25,000 currently in statute, and \$15,800 for FY 2015.

New General Fund appropriations for FY 2014 and FY 2015:

- Appropriates \$5.0 million each year for FY 2014 and FY 2015 for the Fire and Police Retirement Fund in Iowa Code chapter 411.
- Appropriates \$250,000 for FY 2014 to the Department of Human Rights for funding Individual Development Accounts.
- Appropriates \$150,000 each year for FY 2014 and FY 2015 to the Department of Workforce Development for renewable energy training and education.
- Appropriates \$5.0 million each year for FY 2014 and FY 2015 for the Judicial Retirement Fund.
- Appropriates \$150,000 for FY 2014 for operational costs associated with an air traffic control tower.
- Creates a new standing appropriation to the Iowa Economic Development Authority for regional tourism beginning in FY 2014. The appropriation is funded from a portion of the 0.2% State Wagering Tax receipts that are deposited in the General Fund. For FY 2014 and FY 2015, the appropriation is estimated to be \$1.2 million.
- Provides a one-time appropriation, estimated at \$135,000, to the Street Construction Fund for payment to certain cities where corrections were made to the census count by the U.S. Census Bureau as of April 2011.

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Authorizes an additional 3.0 FTE positions for the Governor's Office for FY 2014. This Bill amends HF 603 (Administration and Regulation Appropriations Bill).

SIGNIFICANT CODE CHANGES

Prohibits cities and counties from awarding contracts to a construction contractor that is not registered with the Labor Commissioner.	Page 4, Line 22
Establishes an annual assessment fee for licensed health care facilities for the purpose of covering the cost of contested citation reviews conducted by the Department of Inspections and Appeals.	Page 5, Line 1
Requires all individuals with a duty related to death certificates to use an electronic death record system when one is activated.	Page 5, Line 13
Makes changes to the Human Rights Board to require that a quorum is determined by a majority of the voting members present and any substantive action requires the affirmative vote of two-thirds of the voting members that are present.	Page 5, Line 22
Adds children of a police officer, under Protection Occupation, that was killed in the line of duty, to the list of qualified students for the Iowa Grant Program.	Page 5, Line 30
Division III of this Bill contains a variety of nonsubstantive statutory corrective provisions to the Iowa Code and the 2013 Iowa Acts.	Page 6, Line 10
Provides clarifying language relating to that the principal amount of the bonds issued for public building projects for specified county purposes.	Page 17, Line 35
Establishes a Newborn Critical Congenital Heart Disease Screening Program. Requires the Center for Congenital and Inherited Disorders, with assistance from the Department of Public Health, to require birthing hospitals to perform congenital heart disease screening by pulse oximetry or other means as determined by rule, in conjunction with the metabolic screening required pursuant to statute.	Page 19, Line 28
Clarifies that curing a default for a closed credit card account does not restore the consumer's rights under the credit card agreement.	Page 20, Line 33
Creates a Public Safety Training and Facilities Task Force. The Task Force is charged with developing a coordinated plan for a consolidated fire and police public safety training facility and to establish a consistent funding mechanism to defray public safety training costs on an ongoing basis. The Task Force is expected to report to the General Assembly with interim reports on December 31 each year with the final report due December 31, 2016.	Page 21, Line 27

EXECUTIVE SUMMARY
STANDING APPROPRIATIONS BILL

SENATE FILE 452

Requires the Department of Public Safety to deposit all fees received for cigarette certifications in the State General Fund beginning July 1, 2013 (FY 2014).

Page 24, Line 29

Permits the issuance of a temporary restricted driver's license under certain conditions to persons whose license has been revoked for a violation of Operating While Intoxicated (OWI).

Page 26, Line 6

Provides technical and conforming changes to the Notary Public statute in the Iowa Code

Page 30, Line 2

Increases the maximum per bushel assessment remitted to the Corn Promotion Board from one cent to five cents over a 15-year schedule. Changing assessment rates requires a district referendum, and this will not automatically increase assessment rates. Maximum assessment rates increase one cent every five years with the first one cent increase on on September 1, 2013. Makes various other changes to the Corn Promotion Board.

Page 33, Line 14

Incorporates changes made to base population estimates determined by the U.S. Census Bureau for the period beginning April 2011 and ending March 2021, for purpose of impacting the distribution of Street Construction Fund to cities.

Page 38, Line 9

Senate File 452 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
2	27	5	Amend	8.8
4	22	11	Amend	91C.7.1
4	28	12	Strike and Replace	99F.11.3.d.(3)
5	1	13	Add	135C.7
5	13	14	Add	144.26.5
5	22	15	Amend	216A.3.3
5	30	16	Amend	261.93.2.b.(4)
6	12	19	Amend	2.12
7	15	20	Amend	2.42.14
7	21	21	Amend	2C.3
7	29	22	Amend	2C.9
8	1	23	Amend	2C.11
8	6	24	Amend	2C.18
8	20	25	Amend	8B.21.5.e
8	28	26	Amend	23A.4
8	35	27	Amend	29.1
9	10	28	Amend	35A.13.6A.b.(1)
9	29	29	Amend	70A.28.2,6,8
10	24	30	Amend	126.11.3.b
11	9	31	Amend	249A.43
11	17	32	Amend	252D.17
11	30	33	Amend	263B.3
12	5	34	Add	321.463.12A
12	22	35	Amend	327F.39.6
12	29	36	Amend	418.5.1
13	6	37	Amend	426A.11.1
13	12	38	Add	455B.275.3A
13	22	39	Amend	490.863
13	29	40	Amend	490.1302.2.d
14	1	41	Amend	522.6
14	16	42	Amend	533.405.4A
14	32	43	Amend	543C.2
15	11	44	Amend	556.2.5
15	20	45	Amend	716.7
16	9	46	Amend	724.2
17	17	52	Amend	97A.11A.1
17	35	55	Amend	331.441.2.b.(5)
18	9	56	Amend	331.441.2.c.(9)
18	21	57	Amend	257.31.5.j
18	27	58	Amend	280.4.3
19	28	61	New	136A.5A
20	33	63	Amend	537.5110.4.c
21	15	64	Add	537.5111.6
24	29	68	Amend	101B.5.5
25	1	69	Add	101B.8.10
25	7	70	Amend	101B.9
25	21	71	Repeal	101B.9
26	6	75	Amend	321J.20.1,2
30	2	76	Amend	9B.15.3

Senate File 452 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
30	7	77	Amend	9B.17.1.a
30	19	78	Amend	321I.31.3
31	4	79	Amend	462A.77.4
31	24	80	Amend	554.3505.2
32	1	81	Amend	589.4
32	19	82	Amend	589.5
33	3	83	Amend	622.86
33	14	84	Add	185C.1.4A
33	19	85	Amend	185C.1.5
33	26	86	Amend	185C.3
34	1	87	Strike and Replace	185C.6
34	17	88	Amend	185C.7
35	5	89	Amend	185C.8
36	8	90	Strike	185C.10.3
36	10	91	Amend	185C.14.3
36	15	92	Amend	185C.21.2
37	4	93	Amend	185C.27
38	9	96	Add	312.3.2.d

1 1 DIVISION I
 1 2 STANDING APPROPRIATIONS AND RELATED MATTERS

1 3 Section 1. BUDGET PROCESS FOR FISCAL YEAR 2014-2015.

1 4 1. For the budget process applicable to the fiscal year
 1 5 beginning July 1, 2014, on or before October 1, 2013, in lieu
 1 6 of the information specified in section 8.23, subsection 1,
 1 7 unnumbered paragraph 1, and paragraph "a", all departments and
 1 8 establishments of the government shall transmit to the director
 1 9 of the department of management, on blanks to be furnished by
 1 10 the director, estimates of their expenditure requirements,
 1 11 including every proposed expenditure, for the ensuing fiscal
 1 12 year, together with supporting data and explanations as called
 1 13 for by the director of the department of management after
 1 14 consultation with the legislative services agency.

1 15 2. The estimates of expenditure requirements shall be
 1 16 in a form specified by the director of the department of
 1 17 management, and the expenditure requirements shall include all
 1 18 proposed expenditures and shall be prioritized by program or
 1 19 the results to be achieved. The estimates shall be accompanied
 1 20 by performance measures for evaluating the effectiveness of the
 1 21 programs or results.

1 22 Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 1 23 2013-2014. Notwithstanding the standing appropriations
 1 24 in the following designated sections for the fiscal year
 1 25 beginning July 1, 2013, and ending June 30, 2014, the amounts
 1 26 appropriated from the general fund of the state pursuant to
 1 27 these sections for the following designated purposes shall not
 1 28 exceed the following amounts:

1 29 1. For payment for nonpublic school transportation under
 1 30 section 285.2:
 1 31 \$ 8,560,931
 1 32 If the total approved claims for reimbursement for nonpublic
 1 33 school pupil transportation exceed the amount appropriated in
 1 34 accordance with this subsection, the department of education
 1 35 shall prorate the amount of each approved claim.

2 1 2. For the enforcement of chapter 453D relating to tobacco
 2 2 product manufacturers under section 453D.8:
 2 3 \$ 18,416

Requires State agencies to submit FY 2015 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) concerning the provision of support data. Requires budgeted expenditures to be prioritized by program or by results expected to be achieved, and requires performance measures to be included with the budget information.

CODE: Limits selected FY 2014 standing appropriations to specified amounts.

Limits the General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931.

DETAIL: This is an increase of \$1,500,000 compared to FY 2013, and a decrease of \$1,100,000 compared to the estimated standing appropriation of \$9,660,931 specified in current law.

Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,416.

DETAIL: This is the same level of funding provided in FY 2013, and a decrease of \$6,584 compared to the \$25,000 standing appropriation specified in statute.

2 4 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS — FY

CODE: Limits selected FY 2015 standing appropriations to specified

2 5 2014-2015. Notwithstanding the standing appropriations
 2 6 in the following designated sections for the fiscal year
 2 7 beginning July 1, 2014, and ending June 30, 2015, the amounts
 2 8 appropriated from the general fund of the state pursuant to
 2 9 these sections for the following designated purposes shall not
 2 10 exceed the following amounts:

amounts.

2 11 1. For payment for nonpublic school transportation under
 2 12 section 285.2:
 2 13 \$ 8,560,931

Limits the FY 2015 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931.

2 14 If the total approved claims for reimbursement for nonpublic
 2 15 school pupil transportation exceed the amount appropriated in
 2 16 accordance with this subsection, the department of education
 2 17 shall prorate the amount of each approved claim.

DETAIL: This maintains the same level of funding as provided in FY 2014. This represents a decrease of \$1,100,000 compared to the estimated standing appropriation of \$9,660,931 specified in current law.

2 18 2. For the enforcement of chapter 453D relating to tobacco
 2 19 product manufacturers under section 453D.8:
 2 20 \$ 9,208

Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$9,208.

DETAIL: This is a decrease of \$9,208 compared to the FY 2014 appropriation, and a decrease of \$15,792 compared to the \$25,000 standing appropriation specified in statute.

2 21 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID — FY 2013-2014
 2 22 — FY 2014-2015. In lieu of the appropriation provided in
 2 23 section 257.20, subsection 2, the appropriation for the fiscal
 2 24 years beginning July 1, 2013, and July 1, 2014, for paying
 2 25 instructional support state aid under section 257.20 for fiscal
 2 26 years 2013-2014 and 2014-2015 is zero.

Eliminates the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2014 and FY 2015.

DETAIL: The Program also received no funding in FY 2013. Although no State funding will be provided for the Program, school districts that implement the Program will use local property tax and income surtax to fund their portion of the Program. In FY 2013, 336 districts (96.6%) of districts implemented the Program and generated \$189,900,000 in local taxes (\$85,700,000 in income surtax and \$104,200,000 in property taxes) to fund the Program.

2 27 Sec. 5. Section 8.8, Code 2013, is amended to read as
 2 28 follows:

Increases the standing appropriation for the Special Olympics beginning in FY 2014 from \$50,000 to \$100,000 annually.

2 29 8.8 SPECIAL OLYMPICS FUND — APPROPRIATION.
 2 30 A special olympics fund is created in the office of the
 2 31 treasurer of state under the control of the department of
 2 32 management. There is appropriated annually from the general
 2 33 fund of the state to the special olympics fund ~~fifty one~~
 2 34 hundred thousand dollars for distribution to one or more
 2 35 organizations which administer special olympics programs
 3 1 benefiting the citizens of Iowa with disabilities.

DETAIL: The funds are distributed to organizations that administer Special Olympics programs.

3 4 Sec. 6. INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There
 3 5 is appropriated from the general fund of the state to the
 3 6 department of human rights for the fiscal year beginning July
 3 7 1, 2013, and ending June 30, 2014, the following amounts, or so
 3 8 much thereof as is necessary, for the purposes designated:
 3 9 For deposit in the individual development account state
 3 10 match fund created in section 541A.7 to support the operating
 3 11 organization providing individual development accounts in Iowa:
 3 12 \$ 250,000

General Fund appropriation for FY 2014 to the Department of Human Rights for costs associated with Individual Development Accounts (IDAs).

DETAIL: This is a new appropriation. An IDA is an asset building tool designed to enable low-income families to save towards the purchase of lifelong assets including: a primary residence, home improvements, secondary education, capitalization of a small business start-up, emergency medical expenses, and occupational training costs.

3 13 Sec. 7. RENEWABLE ENERGY TRAINING AND EDUCATION. There
 3 14 is appropriated from the general fund of the state to the
 3 15 department of workforce development for the following fiscal
 3 16 years, the following amounts, or so much thereof as is
 3 17 necessary, to distribute for a public purpose to an entity
 3 18 with a mission of educating workers and the public in the
 3 19 various aspects of renewable energy, its usage, and related
 3 20 occupational opportunities:
 3 21 1. FY 2013-2014
 3 22 \$ 150,000
 3 23 2. FY 2014-2015
 3 24 \$ 150,000

General Fund appropriations for FY 2014 and FY 2015 to the Department of Workforce Development for a program designed to educate persons in various aspects of renewable energy.

3 25 Sec. 8. PUBLIC TRANSIT. There is appropriated from the
 3 26 general fund of the state to the department of transportation,
 3 27 for the fiscal year beginning July 1, 2012, and ending June 30,
 3 28 2013, the following amount, or so much thereof as is necessary,
 3 29 for the purposes designated:
 3 30 For distribution to the public transit systems in the state
 3 31 for vehicle purchasing priorities:
 3 32 \$ 5,000,000
 3 33 For purposes of section 8.33, unencumbered or unobligated
 3 34 moneys from the moneys appropriated in this section shall
 3 35 not revert at the close of the fiscal year but shall remain
 4 1 available for expenditure for the purposes designated until the
 4 2 close of the fiscal year that ends two years after the end of
 4 3 the fiscal year for which the appropriation was made.

General Fund supplemental appropriation for FY 2013 to the Department of Transportation for distribution to public transit systems for the purpose of purchasing vehicles. Allows the funds to remain available for expenditure through the end of FY 2015.

DETAIL: This is a new appropriation.

4 4 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR — FTE
 4 5 AUTHORIZATION. For purposes of the offices of the governor and
 4 6 lieutenant governor, there is authorized an additional 3.00
 4 7 full-time equivalent positions above those otherwise authorized
 4 8 pursuant to 2013 Iowa Acts, House File 603, if enacted.

Authorizes an additional 3.00 FTE positions for the Governor's Office for FY 2014. This Bill amends HF 603 (Administration and Regulation Appropriations Bill).

4 9 Sec. 10. AIR TRAFFIC CONTROL TOWER. There is appropriated

General Fund appropriation for FY 2014 to the Department of

4 10 from the general fund of the state to the department of
 4 11 transportation, for the fiscal year beginning July 1, 2013, and
 4 12 ending June 30, 2014, the following amount, or so much thereof
 4 13 as is necessary, for the purposes designated:
 4 14 For the public purpose of defraying costs associated with
 4 15 the operation of a contract air traffic control tower which
 4 16 holds an air agency certificate:
 4 17 \$ 150,000
 4 18 Moneys appropriated by this section shall be distributed
 4 19 on a local match basis to the largest city in a county with a
 4 20 population of more than 92,000 and less than 95,000 as of the
 4 21 last preceding certified federal census.

Transportation for the purpose of offsetting costs associated with the operation of an air traffic control tower. Requires the state funds to be matched with local funds by the City of Dubuque.

DETAIL: This is a new appropriation.

4 22 Sec. 11. Section 91C.7, subsection 1, Code 2013, is amended
 4 23 to read as follows:
 4 24 1. A contractor who is not registered with the labor
 4 25 commissioner as required by this chapter shall not be awarded
 4 26 a contract to perform work for the state ~~or~~ an agency of the
 4 27 state, or a political subdivision of the state.

CODE: Prohibits cities and counties from awarding contracts to a construction contractor that is not registered with the Labor Commissioner.

4 28 Sec. 12. Section 99F.11, subsection 3, paragraph d,
 4 29 subparagraph (3), Code 2013, is amended by striking the
 4 30 subparagraph and inserting in lieu thereof the following:
 4 31 (3) One-half of the moneys remaining after the
 4 32 appropriation in subparagraph (1) is appropriated to the
 4 33 economic development authority for distribution equally to
 4 34 the three state tourism regions to develop public-private
 4 35 partnerships to market local attractions.

CODE: Creates a new standing appropriation estimated at \$1,164,000 to the IEDA for regional tourism. The funds are to be used for developing public-private partnerships to market local attractions. The appropriation is provided from wagering tax receipts that are currently deposited in the General Fund.

5 1 Sec. 13. Section 135C.7, Code 2013, is amended by adding the
 5 2 following new unnumbered paragraph:
 5 3 NEW UNNUMBERED PARAGRAPH In addition to the license fees
 5 4 listed in this section, there shall be an annual assessment
 5 5 assessed to each licensee in an amount to cover the cost of
 5 6 independent reviewers provided pursuant to section 135C.42.
 5 7 The department shall, in consultation with licensees, establish
 5 8 the assessment amount by rule based on the award of a request
 5 9 for proposals. The assessment shall be retained by the
 5 10 department as a repayment receipt as defined in section 8.2
 5 11 and used for the purpose of paying the cost of the independent
 5 12 reviewers.

Establishes an annual assessment fee for licensed health care facilities for the purpose of covering the cost of contested citation reviews conducted by the Department of Inspections and Appeals.

5 13 Sec. 14. Section 144.26, Code 2013, is amended by adding the
 5 14 following new subsection:
 5 15 NEW SUBSECTION 5. Upon the activation of an electronic
 5 16 death record system, each person with a duty related to death
 5 17 certificates shall participate in the electronic death record
 5 18 system. A person with a duty related to a death certificate

CODE: Requires all individuals with a duty related to death certificate to use an electronic death record system when one is activated.

FISCAL IMPACT: There is no fiscal impact to the State General Fund. There may be some impact to individuals required to submit records electronically, but it is expected to be minimal.

5 19 includes but is not limited to a physician as defined in
 5 20 section 135.1, a physician assistant, an advanced registered
 5 21 nurse practitioner, a funeral director, and a county recorder.

5 22 Sec. 15. Section 216A.3, subsection 3, Code 2013, is amended
 5 23 to read as follows:

5 24 3. A majority of the voting members of the board shall
 5 25 constitute a quorum, and the affirmative vote of two-thirds of
 5 26 the voting members present is necessary for any substantive
 5 27 action taken by the board. The board shall select a
 5 28 chairperson from the voting members of the board. The board
 5 29 shall meet not less than four times a year.

CODE: Makes changes to the Human Rights Board to clarify that a quorum is determined by a majority of the voting members present and any substantive action requires the affirmative vote of two-thirds of the voting members that are present.

5 30 Sec. 16. Section 261.93, subsection 2, paragraph b,
 5 31 subparagraph (4), Code 2013, is amended to read as follows:

5 32 (4) Is the child of a fire fighter or police officer
 5 33 included under section 97B.49B, who was killed in the line of
 5 34 duty as determined by the Iowa public employees' retirement
 5 35 system in accordance with section 97B.52, subsection 2.

CODE: Adds children of a police officer, under Protection Occupation, that was killed in the line of duty, to the list of qualified students for the Iowa Grant Program.

6 1 Sec. 17. CONDITIONAL EFFECTIVE DATE. The section of this
 6 2 division of this Act amending section 99F.11, takes effect only
 6 3 if 2013 Iowa Acts, House File 620, striking section 99F.11,
 6 4 subsection 3, paragraph d, subparagraph (3), is enacted.

Section 12 of this Bill, is effective only if SF 300 (Endow Iowa Tax Credit Bill) is enacted during the 2013 Legislative Session.

6 5 Sec. 18. EFFECTIVE UPON ENACTMENT. The following provision
 6 6 or provisions of this division of this Act, being deemed of
 6 7 immediate importance, take effect upon enactment:
 6 8 1. The section of this Act appropriating moneys to the
 6 9 department of transportation for public transit purposes.

The appropriation to the Department of Transportation for Public Transit is effective on enactment.

6 10 DIVISION III
 6 11 CORRECTIVE PROVISIONS

CODE: This Division contains a variety of nonsubstantive statutory corrective provisions to the Iowa Code and the 2013 Iowa Acts. No individual detail is provided but the Legal Services Division of the LSA has reviewed these items and none have a fiscal impact or a substantive impact on policy.

6 12 Sec. 19. Section 2.12, unnumbered paragraph 4, Code 2013,
 6 13 as amended by 2013 Iowa Acts, House File 185, section 1, is
 6 14 amended to read as follows:

6 15 There is appropriated out of any funds in the state treasury
 6 16 not otherwise appropriated such sums as may be necessary for
 6 17 the fiscal year budgets of the legislative services agency
 6 18 and the ~~ombudsman~~ office of ombudsman for salaries, support,
 6 19 maintenance, and miscellaneous purposes to carry out their
 6 20 statutory responsibilities. The legislative services agency
 6 21 and the ~~ombudsman~~ office of ombudsman shall submit their
 6 22 proposed budgets to the legislative council not later than

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

6 23 September 1 of each year. The legislative council shall review
 6 24 and approve the proposed budgets not later than December 1 of
 6 25 each year. The budget approved by the legislative council for
 6 26 each of its statutory legislative agencies shall be transmitted
 6 27 by the legislative council to the department of management on
 6 28 or before December 1 of each year for the fiscal year beginning
 6 29 July 1 of the following year. The department of management
 6 30 shall submit the approved budgets received from the legislative
 6 31 council to the governor for inclusion in the governor's
 6 32 proposed budget for the succeeding fiscal year. The approved
 6 33 budgets shall also be submitted to the chairpersons of the
 6 34 committees on appropriations. The committees on appropriations
 6 35 may allocate from the funds appropriated by this section
 7 1 the funds contained in the approved budgets, or such other
 7 2 amounts as specified, pursuant to a concurrent resolution to be
 7 3 approved by both houses of the general assembly. The director
 7 4 of the department of administrative services shall issue
 7 5 warrants for salaries, support, maintenance, and miscellaneous
 7 6 purposes upon requisition by the administrative head of each
 7 7 statutory legislative agency. If the legislative council
 7 8 elects to change the approved budget for a legislative agency
 7 9 prior to July 1, the legislative council shall transmit the
 7 10 amount of the budget revision to the department of management
 7 11 prior to July 1 of the fiscal year, however, if the general
 7 12 assembly approved the budget it cannot be changed except
 7 13 pursuant to a concurrent resolution approved by the general
 7 14 assembly.

7 15 Sec. 20. Section 2.42, subsection 14, Code 2013, as amended
 7 16 by 2013 Iowa Acts, House File 185, section 2, is amended to
 7 17 read as follows:

7 18 14. To hear and act upon appeals of aggrieved employees of
 7 19 the legislative services agency and the office of ~~the~~ ombudsman
 7 20 pursuant to rules of procedure established by the council.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 21 Sec. 21. Section 2C.3, subsection 2, Code 2013, as enacted
 7 22 by 2013 Iowa Acts, House File 185, section 4, is amended to
 7 23 read as follows:

7 24 2. The ombudsman shall employ and supervise all employees
 7 25 under the ombudsman's direction in such positions and at such
 7 26 salaries as shall be authorized by the legislative council.
 7 27 The legislative council shall hear and act upon appeals of
 7 28 aggrieved employees of the office of ~~the~~ ombudsman.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 29 Sec. 22. Section 2C.9, subsection 6, Code 2013, as amended
 7 30 by 2013 Iowa Acts, House File 185, section 10, is amended to
 7 31 read as follows:

7 32 6. Establish rules relating to the operation, organization,

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11,

7 33 and procedure of the office of the ombudsman. The rules are	2013, and signed by the Governor on March 28, 2013.
7 34 exempt from chapter 17A and shall be published in the Iowa	
7 35 administrative code.	
8 1 Sec. 23. Section 2C.11, subsection 1, unnumbered paragraph	CODE: Corrective provisions for HF 185 (Title Change for Ombudsman
8 2 1, Code 2013, as amended by 2013 Iowa Acts, House File 185,	Office).
8 3 section 12, is amended to read as follows:	
8 4 An appropriate subject for investigation by the office of	DETAIL: This Bill was enacted by the General Assembly on March 11,
8 5 the ombudsman is an administrative action that might be:	2013, and signed by the Governor on March 28, 2013.
8 6 Sec. 24. Section 2C.18, Code 2013, as amended by 2013	CODE: Corrective provisions for HF 185 (Title Change for Ombudsman
8 7 Iowa Acts, House File 185, section 20, is amended to read as	Office).
8 8 follows:	
8 9 2C.18 REPORT TO GENERAL ASSEMBLY.	DETAIL: This Bill was enacted by the General Assembly on March 11,
8 10 The ombudsman shall by April 1 of each year submit an	2013, and signed by the Governor on March 28, 2013.
8 11 economically designed and reproduced report to the general	
8 12 assembly and to the governor concerning the exercise of the	
8 13 ombudsman ombudsman's functions during the preceding calendar	
8 14 year. In discussing matters with which the ombudsman has been	
8 15 concerned, the ombudsman shall not identify specific persons	
8 16 if to do so would cause needless hardship. If the annual	
8 17 report criticizes a named agency or official, it shall also	
8 18 include unedited replies made by the agency or official to the	
8 19 criticism, unless excused by the agency or official affected.	
8 20 Sec. 25. Section 8B.21, subsection 5, paragraph e, if	CODE: Corrective provisions for SF 396 (Government Efficiency Bill).
8 21 enacted by 2013 Iowa Acts, Senate File 396, section 3, is	
8 22 amended to read as follows:	DETAIL: This Bill is not yet enacted (as of April 25, 2013).
8 23 e. The department of public defense shall not be required	
8 24 to obtain any information technology services pursuant to	
8 25 this chapter for the department of public defense that is <u>are</u>	
8 26 provided by the office pursuant to this chapter without the	
8 27 consent of the adjutant general.	
8 28 Sec. 26. Section 23A.4, subsection 3, Code 2013, as enacted	CODE: Corrective provisions for HF 185 (Title Change for Ombudsman
8 29 by 2013 Iowa Acts, House File 185, section 27, is amended to	Office).
8 30 read as follows:	
8 31 3. Chapter 17A and this section are the exclusive remedy	DETAIL: This Bill was enacted by the General Assembly on March 11,
8 32 for violations of this chapter. However, the office of the	2013, and signed by the Governor on March 28, 2013.
8 33 ombudsman may review violations of this chapter and make	
8 34 recommendations as provided in chapter 2C.	
8 35 Sec. 27. Section 29.1, Code 2013, as amended by 2013 Iowa	CODE: Corrective provisions for HF 307 (Establishing the Department
9 1 Acts, House File 307, section 9, is amended to read as follows:	of Homeland Security and Emergency Management).
9 2 29.1 DEPARTMENT OF PUBLIC DEFENSE.	
9 3 The department of public defense is composed of the office	DETAIL: This Bill was enacted by the General Assembly on March 26,
9 4 of the adjutant general and the military forces of the	2013, and signed by the Governor on April 5, 2013.
9 5 state of Iowa. The adjutant general is the director of the	

9 6 department of public defense and shall perform all functions,
 9 7 responsibilities, powers, and duties ~~over~~ concerning the
 9 8 military forces of the state of Iowa as provided in the laws of
 9 9 the state.

9 10 Sec. 28. Section 35A.13, subsection 6A, paragraph b,
 9 11 subparagraph (1), if enacted by 2013 Iowa Acts, House File 613,
 9 12 section 2, is amended to read as follows:

9 13 (1) The commission may provide educational assistance funds
 9 14 to any child who has lived in the state of Iowa for two years
 9 15 preceding application for state educational assistance, and who
 9 16 is the child of a person who died prior to September 11, 2001,
 9 17 during active federal military service while serving in the
 9 18 armed forces or during active federal military service in the
 9 19 Iowa national guard or other military component of the United
 9 20 States, to defray the expenses of tuition, matriculation,
 9 21 laboratory and similar fees, books and supplies, board,
 9 22 lodging, and any other reasonably necessary expense for the
 9 23 child or children incident to attendance in this state at an
 9 24 educational or training institution of college grade, or in a
 9 25 business or vocational training school with standards approved
 9 26 by the department. The commission shall not expend more than
 9 27 six hundred dollars per year for educational assistance for any
 9 28 one child under this paragraph "b".

9 29 Sec. 29. Section 70A.28, subsection 6, Code 2013, as amended
 9 30 by 2013 Iowa Acts, House File 185, section 28, is amended to
 9 31 read as follows:

9 32 6. Subsection 2 may also be enforced by an employee through
 9 33 an administrative action pursuant to the requirements of this
 9 34 subsection if the employee is not a merit system employee or
 9 35 an employee covered by a collective bargaining agreement. An
 10 1 employee eligible to pursue an administrative action pursuant
 10 2 to this subsection who is discharged, suspended, demoted,
 10 3 or otherwise receives a reduction in pay and who believes
 10 4 the adverse employment action was taken as a result of the
 10 5 employee's disclosure of information that was authorized
 10 6 pursuant to subsection 2, may file an appeal of the adverse
 10 7 employment action with the public employment relations
 10 8 board within thirty calendar days following the later of the
 10 9 effective date of the action or the date a finding is issued
 10 10 to the employee by the office of the ombudsman pursuant to
 10 11 section 2C.11A. The findings issued by the ombudsman may be
 10 12 introduced as evidence before the public employment relations
 10 13 board. The employee has the right to a hearing closed to the
 10 14 public, but may request a public hearing. The hearing shall
 10 15 otherwise be conducted in accordance with the rules of the
 10 16 public employment relations board and the Iowa administrative

CODE: Corrective provisions for HF 613 (War Orphans Educational Assistance Fund).

DETAIL: This Bill was enacted by the General Assembly on April 22, 2013, and has not yet been signed by the Governor.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

10 17 procedure Act, chapter 17A. If the public employment relations
10 18 board finds that the action taken in regard to the employee was
10 19 in violation of subsection 2, the employee may be reinstated
10 20 without loss of pay or benefits for the elapsed period, or the
10 21 public employment relations board may provide other appropriate
10 22 remedies. Decisions by the public employment relations board
10 23 constitute final agency action.

10 24 Sec. 30. Section 126.11, subsection 3, paragraph b, Code
10 25 2013, as amended by 2013 Iowa Acts, House File 417, section 26,
10 26 is amended to read as follows:

10 27 b. A drug dispensed by filling or refilling a written,
10 28 electronic, facsimile, or oral prescription of a practitioner
10 29 licensed by law to administer the drug is exempt from section
10 30 126.10, except section 126.10, subsection 1, paragraph "a",
10 31 section 126.10, subsection 1, paragraph "i", subparagraphs
10 32 (2) and (3), and section 126.10, subsection 1, paragraphs "k"
10 33 and "l", and the packaging requirements of section 126.10,
10 34 subsection 1, paragraphs "g", "h", and "p", if the drug bears
10 35 a label containing the name and address of the dispenser, the
11 1 date of the prescription or of its filling, the name of the
11 2 prescriber, and, if stated in the prescription, the name of the
11 3 patient, and the directions for use and cautionary statements,
11 4 if any, contained in the prescription. This exemption does not
11 5 apply to a drug dispensed in the course of the conduct of the
11 6 business of dispensing drugs pursuant to diagnosis by mail,
11 7 or to a drug dispensed in violation of paragraph "a" of this
11 8 subsection.

11 9 Sec. 31. Section 249A.43, subsection 3, as enacted by 2013
11 10 Iowa Acts, Senate File 357, section 7, is amended to read as
11 11 follows:

11 12 3. An affidavit of service of a notice of entry of judgment
11 13 shall be made by first class mail at the address where the
11 14 debtor was served with the notice of overpayment. Service
11 15 is completed upon mailing as specified in this ~~paragraph~~
11 16 subsection.

11 17 Sec. 32. Section 252D.17, subsection 1, paragraph m, as
11 18 enacted by 2013 Iowa Acts, House File 417, section 55, Code
11 19 2013, is amended to read as follows:

11 20 ~~m. 2.~~ The department shall establish criteria and a
11 21 phased-in schedule to require, no later than June 30, 2015,
11 22 payors of income to electronically transmit the amounts
11 23 withheld under an income withholding order. The department
11 24 shall assist payors of income in complying with the required
11 25 electronic transmission, and shall adopt rules setting forth
11 26 procedures for use in electronic transmission of funds, and

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for SF 357 (Medicaid Program Collections and Integrity Policy).

DETAIL: This Bill was enacted by the General Assembly on March 19, 2013, and signed by the Governor on April 8, 2013.

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

11 27 exemption from use of electronic transmission taking into
 11 28 consideration any undue hardship electronic transmission
 11 29 creates for payors of income.

11 30 Sec. 33. Section 263B.3, Code 2013, as amended by 2013
 11 31 Iowa Acts, House File 417, section 63, is amended to read as
 11 32 follows:

11 33 263B.3 AGREEMENTS WITH FEDERAL DEPARTMENTS.

11 34 The state archaeologist is authorized to enter into
 11 35 agreements and cooperative efforts with the federal highway
 12 1 administrator, the United States departments of commerce,
 12 2 interior, agriculture, and defense, and any other federal or
 12 3 state agencies concerned with archaeological salvage or the
 12 4 preservation of antiquities.

12 5 Sec. 34. Section 321.463, subsection 12A, paragraphs a and
 12 6 c, as enacted by 2013 Iowa Acts, House File 14, section 1, are
 12 7 amended to read as follows:

12 8 a. A person operating a vehicle or combination of vehicles
 12 9 equipped with a retractable axle may raise the axle when
 12 10 necessary to negotiate a turn, provided that the retractable
 12 11 axle is lowered within one thousand feet following completion
 12 12 of the turn. This paragraph does not apply to a vehicle or
 12 13 combination of vehicles operated on an interstate highway,
 12 14 including a ramp to or from an interstate highway, or on a
 12 15 bridge.

12 16 c. This subsection does not prohibit the operation of a
 12 17 vehicle or combination of vehicles equipped with a retractable
 12 18 axle ~~from operating~~ with the retractable axle raised when the
 12 19 vehicle or combination of vehicles is in compliance with the
 12 20 weight limitations of this section with the retractable axle
 12 21 raised.

12 22 Sec. 35. Section 327F.39, subsection 6, paragraph b, if
 12 23 enacted by 2013 Iowa Acts, Senate File 340, section 4, is
 12 24 amended to read as follows:

12 25 b. A violation of subsection 4A or rules adopted pursuant to
 12 26 subsection 4A by a railroad worker transportation company or a
 12 27 railroad ~~corporation~~ company is punishable as a schedule "one"
 12 28 penalty under section 327C.5.

12 29 Sec. 36. Section 418.5, subsection 1, Code 2013, as amended
 12 30 by 2013 Iowa Acts, House File 307, section 51, is amended to
 12 31 read as follows:

12 32 1. The flood mitigation board is established consisting of
 12 33 nine voting members and four ex officio, nonvoting members,
 12 34 and is located for administrative purposes within the ~~division~~
 12 35 department. The director of the department shall provide

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 14 (Weight Limitations for Vehicles with Retractable Axles).

DETAIL: This Bill was enacted by the General Assembly on March 27, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for SF 340 (Rail Crew Transport Drivers).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

CODE: Corrective provisions for HF 307 (Establishing the Department of Homeland Security and Emergency Management).

DETAIL: This Bill was enacted by the General Assembly on March 26, 2013, and signed by the Governor on April 5, 2013.

13 1 office space, staff assistance, and necessary supplies and
 13 2 equipment for the board. The director shall budget funds to
 13 3 pay the necessary expenses of the board. In performing its
 13 4 functions, the board is performing a public function on behalf
 13 5 of the state and is a public instrumentality of the state.

13 6 Sec. 37. Section 426A.11, subsection 1, Code 2013, as
 13 7 amended by 2013 Iowa Acts, House File 417, section 97, is
 13 8 amended to read as follows:

13 9 1. The property, not to exceed two thousand seven hundred
 13 10 seventy-eight dollars in taxable value of any veteran, as
 13 11 defined in section 35.1, of ~~the~~ World War I.

13 12 Sec. 38. Section 455B.275, subsection 3A, paragraphs a and
 13 13 b, if enacted by 2013 Iowa Acts, House File 541, section 1, are
 13 14 amended to read as follows:

13 15 a. The person reconstructing the dam is only required to
 13 16 possess the flooding easements or ownership which ~~were~~ was
 13 17 held prior to the reconstruction as long as the former normal
 13 18 pool elevation is not exceeded and the spillway capacity is
 13 19 increased by at least fifty percent.

13 20 b. Flooding easements or ownership ~~are~~ is only required to
 13 21 the top of the reconstructed spillway elevation.

13 22 Sec. 39. Section 490.863, subsection 3, paragraph a, as
 13 23 enacted by 2013 Iowa Acts, House File 469, section 43, is
 13 24 amended to read as follows:

13 25 a. "Holder" means and "held by" refers to shares held by
 13 26 both a record shareholder, as defined in section 490.1301,
 13 27 subsection 7, and a beneficial shareholder, as defined in
 13 28 section 490.1301, subsection 2.

13 29 Sec. 40. Section 490.1302, subsection 2, paragraph d, Code
 13 30 2013, as amended by 2013 Iowa Acts, House File 469, section 53,
 13 31 is amended to read as follows:

13 32 d. Paragraph "a"; shall not be applicable and appraisal
 13 33 rights shall be available pursuant to subsection 1 for the
 13 34 holders of any class or series of shares where the corporate
 13 35 action is an interested transaction.

14 1 Sec. 41. Section 522.6, subsection 2, if enacted by 2013
 14 2 Iowa Acts, Senate File 189, section 6, is amended to read as
 14 3 follows:

14 4 2. If an insurer qualifies for exemption from the
 14 5 requirements of this chapter pursuant to paragraph "a" of
 14 6 subsection 1, but the insurance group of which the insurer is
 14 7 a member does not qualify for exemption pursuant to paragraph
 14 8 "b" of subsection 1, then the own risk and solvency assessment

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 541 (Dam Reconstruction Standards).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

CODE: Corrective provisions for HF 469 (Business Corporations).

DETAIL: This Bill was enacted by the General Assembly on March 20, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 469 (Business Corporations).

DETAIL: This Bill was enacted by the General Assembly on March 20, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for SF 189 (Risk Management Framework for Insurers and Insurance Groups).

DETAIL: This Bill was enacted by the General Assembly on April 8, 2013, and signed by the Governor on April 24, 2013.

14 9 summary report that is required pursuant to section 521H.5
 14 10 522.5 shall include information concerning every insurer
 14 11 in the insurance group. This requirement may be satisfied
 14 12 by the submission of more than one summary report for any
 14 13 combination of insurers in the insurance group provided that
 14 14 the combination of reports submitted includes every insurer in
 14 15 the insurance group.

14 16 Sec. 42. Section 533.405, subsection 4A, paragraph b,
 14 17 subparagraphs (1) and (2), as enacted by 2013 Iowa Acts, Senate
 14 18 File 183, section 8, are amended to read as follows:

14 19 (1) State credit unions with assets in excess of \$5 five
 14 20 million dollars as of the month ending immediately prior to the
 14 21 date of the conclusion of the vote by the membership approving
 14 22 the dissolution shall publish the notice once a week for two
 14 23 successive weeks in a newspaper of general circulation in each
 14 24 county in which the state credit union maintains an office or
 14 25 branch for the transaction of business.

14 26 (2) State credit unions with assets of \$5 five million
 14 27 dollars or less as of the month ending immediately prior to the
 14 28 date of the conclusion of the vote by the membership approving
 14 29 the dissolution shall publish the notice once in a newspaper of
 14 30 general circulation in each county in which the state credit
 14 31 union maintains an office or branch.

14 32 Sec. 43. Section 543C.2, subsection 1, paragraph j, if
 14 33 enacted by 2013 Iowa Acts, House File 556, section 167, is
 14 34 amended to read as follows:

14 35 j. The subdivider, if a corporation, must register to do
 15 1 business in the state of Iowa as a foreign corporation with
 15 2 the secretary of state and furnish a copy of the certificate
 15 3 of authority to do business in the state of Iowa. If not a
 15 4 corporation, the subdivider must comply with the provisions
 15 5 of chapter 547, by filing a proper trade name with the Polk
 15 6 county recorder. The provisions of this ~~subsection~~ paragraph
 15 7 shall also apply to any person, partnership, firm, company,
 15 8 corporation, or association, other than the subdivider, which
 15 9 is engaged by or through the subdivider for the purpose of
 15 10 advertising or selling the land involved in the filing.

15 11 Sec. 44. Section 556.2, subsection 5, paragraph a,
 15 12 unnumbered paragraph 1, as enacted by 2013 Iowa Acts, House
 15 13 File 417, section 174, is amended to read as follows:

15 14 A banking organization or financial organization shall send
 15 15 to the owner of each account, to which none of the actions
 15 16 specified in subsection ~~2~~ 1, paragraphs "a" through "e" or
 15 17 subsection 2, paragraphs "a" through "e" have occurred during
 15 18 the preceding three calendar years, a notice by certified mail

CODE: Corrective provisions for SF 183 (Credit Union Division of the Department of Commerce).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 8, 2013.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

15 19 stating in substance the following:

15 20 Sec. 45. Section 716.7, subsection 1, as amended by 2013
15 21 Iowa Acts, House File 556, section 234, if enacted, is amended
15 22 to read as follows:

15 23 1. For purposes of this section:

15 24 a. "Property" shall include any land, dwelling, building,
15 25 conveyance, vehicle, or other temporary or permanent structure
15 26 whether publicly or privately owned.

15 27 b. "Public utility" is a public utility as defined in
15 28 section 476.1 or an electric transmission line as provided in
15 29 chapter 478.

15 30 ~~b. c.~~ "Public utility property" means any land, dwelling,
15 31 building, conveyance, vehicle, or other temporary or permanent
15 32 structure owned, leased, or operated by a public utility and
15 33 that is completely enclosed by a physical barrier of any kind.
15 34 ~~For the purposes of this section, a "public utility" is a public~~
15 35 ~~utility as defined in section 476.1 or an electric transmission~~
16 1 ~~line as provided in chapter 478.~~

16 2 ~~e. d.~~ "Railway corporation" means a corporation, company,
16 3 or person owning, leasing, or operating any railroad in whole
16 4 or in part within this state.

16 5 ~~d. e.~~ "Railway property" means all tangible real and
16 6 personal property owned, leased, or operated by a railway
16 7 corporation with the exception of any administrative building
16 8 or offices of the railway corporation.

16 9 Sec. 46. Section 724.2, subsection 1, paragraph i, if
16 10 enacted by 2013 Iowa Acts, House File 556, section 206, is
16 11 amended to read as follows:

16 12 i. A nonresident who possesses an offensive weapon which
16 13 is a curio or relic firearm under the federal Firearms Act,
16 14 18 U.S.C. ch.44, solely for use in official functions in
16 15 this state of a historical reenactment organization of which
16 16 the person is a member, if the offensive weapon is legally
16 17 possessed by the person in the person's state of residence
16 18 and the offensive weapon is at all times while in this state
16 19 rendered incapable of firing live ammunition. A nonresident
16 20 who possesses an offensive weapon under this ~~subsection~~
16 21 paragraph while in this state shall not have in the person's
16 22 possession live ammunition. The offensive weapon may, however,
16 23 be adapted for the firing of blank ammunition.

16 24 Sec. 47. REPEAL. 2013 Iowa Acts, House File 417, section
16 25 34, and 2013 Iowa Acts, House File 556, section 27, if enacted,
16 26 are repealed.

16 27 Sec. 48. REPEAL. 2013 Iowa Acts, House File 469, sections

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

Section 34 of HF 417 (Nonsubstantive Code Editor's Bill) and Section 27 of HF 556 (Substantive Code Editor's Bill), if enacted, are repealed.

Sections 83 and 84 of HF 469 (Business Corporations), are repealed.

16 28 83 and 84, are repealed.

16 29 Sec. 49. CONTINGENT REPEAL. If 2013 Iowa Acts, House File
16 30 575, section 12, is enacted, 2013 Iowa Acts, House File 417,
16 31 section 93, is repealed.

Repeals Section 93 of HF 417 (Nonsubstantive Code Editor's Bill), if Section 12 of HF 575 (Department of Revenue Technical Bill) is enacted.

16 32 DIVISION IV
16 33 PUBLIC RETIREMENT SYSTEMS

16 34 Sec. 50. JUDICIAL RETIREMENT FUND. There is appropriated
16 35 from the general fund of the state to the judicial retirement
17 1 fund described in section 602.9104 for the following fiscal
17 2 years, the following amounts:

General Fund appropriations to the Judicial Retirement Fund for FY 2014 and FY 2015.

- 17 3 1. FY 2013-2014
- 17 4 \$ 5,000,000
- 17 5 2. FY 2014-2015
- 17 6 \$ 5,000,000

17 7 Sec. 51. FIRE AND POLICE RETIREMENT FUND. There is
17 8 appropriated from the general fund of the state to the fire
17 9 and police retirement fund created in section 411.8 for the
17 10 following fiscal years, the following amounts:

General Fund appropriations to the Fire and Police Retirement Fund for FY 2013 through FY 2015 under Iowa Code chapter 411.

- 17 11 1. FY 2012-2013
- 17 12 \$ 9,600,000
- 17 13 2. FY 2013-2014
- 17 14 \$ 5,000,000
- 17 15 3. FY 2014-2015
- 17 16 \$ 5,000,000

17 17 Sec. 52. Section 97A.11A, subsection 1, Code 2013, is
17 18 amended to read as follows:

CODE: General Fund supplemental appropriation for FY 2013 of \$5,000,000 to the Peace Officer Retirement Fund.

17 19 1. Beginning with the fiscal year commencing July 1, ~~2013~~
17 20 2012, and ending June 30 of the fiscal year during which the
17 21 board determines that the system's funded ratio of assets
17 22 to liabilities is at least eighty-five percent, there is
17 23 appropriated from the general fund of the state for each fiscal
17 24 year to the retirement fund described in section 97A.8, an
17 25 amount equal to five million dollars.

DETAIL: This section restores the \$5,000,000 in funding for FY 2013 to the Peace Officer Retirement Fund that was reduced in 2012 Iowa Acts, chapter 1138. The \$5,000,000 appropriation will continue for FY 2014 and FY 2015, and until the funded ratio of assets to liabilities is equal to 85.00%.

17 26 Sec. 53. EFFECTIVE UPON ENACTMENT. The section of this
17 27 division of this Act amending section 97A.11A, being deemed of
17 28 immediate importance, takes effect upon enactment.

The statutory change for General Fund appropriations to the Peace Officers Retirement Fund is effective on enactment.

17 29 Sec. 54. EFFECTIVE UPON ENACTMENT. The section of this
17 30 division of this Act appropriating moneys to the fire and
17 31 police retirement fund, being deemed of immediate importance,
17 32 takes effect upon enactment.

The FY 2013 General Fund appropriation to the Fire and Police Retirement Fund is effective on enactment.

17 33 DIVISION V
17 34 COUNTY PROJECTS

17 35 Sec. 55. Section 331.441, subsection 2, paragraph b,
18 1 subparagraph (5), unnumbered paragraph 1, Code 2013, is amended
18 2 to read as follows:

18 3 Public buildings, including the site or grounds of, and the
18 4 erection, equipment, remodeling, or reconstruction of, and
18 5 additions or extensions to the buildings, and including the
18 6 provision and maintenance of juvenile detention or shelter care
18 7 facilities, when the ~~cost~~ principal amount of the bonds does
18 8 not exceed the following limits:

18 9 Sec. 56. Section 331.441, subsection 2, paragraph c,
18 10 subparagraph (9), Code 2013, is amended to read as follows:

18 11 (9) Public buildings, including the site or grounds of,
18 12 the erection, equipment, remodeling, or reconstruction of, and
18 13 additions or extensions to the buildings, and including the
18 14 provision and maintenance of juvenile detention or shelter care
18 15 facilities, when the ~~cost~~ principal amount of the bonds exceeds
18 16 the limits stated in subsection 2, paragraph "b", subparagraph
18 17 (5).

18 18 DIVISION VI
18 19 SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH
18 20 PROFICIENT STUDENTS

18 21 Sec. 57. Section 257.31, subsection 5, paragraph j, Code
18 22 2013, is amended to read as follows:

18 23 j. Unusual need to continue providing a program or other
18 24 special assistance to non-English speaking pupils after the
18 25 expiration of the ~~four-year~~ seven-year period specified in
18 26 section 280.4.

18 27 Sec. 58. Section 280.4, subsection 3, Code 2013, is amended
18 28 to read as follows:

18 29 3. a. In order to provide funds for the excess costs of
18 30 instruction of limited English proficient students specified
18 31 in paragraph "b" above the costs of instruction of pupils in
18 32 a regular curriculum, students identified as limited English
18 33 proficient shall be assigned an additional weighting of
18 34 twenty-two hundredths, and that weighting shall be included in
18 35 the weighted enrollment of the school district of residence for
19 1 a period not exceeding ~~four~~ seven years. However, the school
19 2 budget review committee may grant supplemental aid or modified
19 3 allowable growth to a school district to continue funding a
19 4 program for students after the expiration of the ~~four-year~~
19 5 seven-year period.

19 6 b. For students first determined to be limited English
19 7 proficient for a budget year beginning on or after July 1,

CODE: Provides clarifying language relating to the principal amount of the bonds issued for public building projects for specified county purposes.

CODE: Increases the number of years limited English proficient (LEP) students are eligible to generate supplementary weighting for excess costs associated with LEP instruction. Specifies that the extension applies to LEP students first identified on or after July 1, 2009.

FISCAL IMPACT: Estimates provided are based on a 0.0% allowable growth rate for future fiscal years. The estimated fiscal impact of this provision compared to current law is as follows:

- In FY 2014, an increase in LEP supplementary weighting totaling \$5,100,000. This includes \$4,500,000 for the State aid portion and \$700,000 for the local property tax portion.
- In FY 2015, an increase in LEP supplementary weighting totaling \$10,900,000. This includes \$9,500,000 for the State aid portion and \$1,400,000 for the local property tax portion.
- In FY 2016, an increase in LEP supplementary weighting totaling \$17,600,000. This includes \$15,300,000 for the State aid portion and \$2,300,000 for the local property tax portion.

Additionally, the enactment of this provision will reduce the modified allowable growth amount requested by school district for costs associated with LEP instruction. However, the specific amount is

19 8 2009, the additional weighting provided under paragraph “a”
 19 9 shall be included in the weighted enrollment of the school
 19 10 district of residence for a period not exceeding seven years.

unknown.

19 11 Sec. 59. LIMITED ENGLISH PROFICIENT WEIGHTING
 19 12 ADJUSTMENT. For the fiscal year beginning July 1, 2013,
 19 13 and ending June 30, 2014, there shall be allocated to the
 19 14 department of education from the amount appropriated pursuant
 19 15 to section 257.16, subsection 1, based upon the increase from
 19 16 four to seven years in the availability of supplementary
 19 17 weighting for instruction of limited English proficient
 19 18 students pursuant to section 280.4, an amount to be determined
 19 19 by the department of management in consultation with the
 19 20 legislative services agency. The funds shall be used to adjust
 19 21 the weighted enrollment of a school district with students
 19 22 identified as limited English proficient on a prorated basis.

Technical provision for FY 2014, that requires the amount allocated for LEP supplementary weightings to be determined by the DOM in consultation with the LSA.

19 23 Sec. 60. EFFECTIVE UPON ENACTMENT. This division of this
 19 24 Act, being deemed of immediate importance, takes effect upon
 19 25 enactment.

This Division is effective on enactment.

19 26 DIVISION VII
 19 27 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING

19 28 Sec. 61. NEW SECTION 136A.5A NEWBORN CRITICAL CONGENITAL
 19 29 HEART DISEASE SCREENING.

CODE: Establishes a Newborn Critical Congenital Heart Disease Screening Program. Requires the Center for Congenital and Inherited Disorders, with assistance from the Department of Public Health (DPH), to require birthing hospitals to perform congenital heart disease screening by pulse oximetry or other means as determined by rule, in conjunction with the metabolic screening required pursuant to Iowa Code, section 136A.5.

19 30 1. Each newborn born in this state shall receive a critical
 19 31 congenital heart disease screening by pulse oximetry or other
 19 32 means as determined by rule, in conjunction with the metabolic
 19 33 screening required pursuant to section 136A.5.

19 34 2. An attending health care provider shall ensure that
 19 35 every newborn under the provider's care receives the critical
 20 1 congenital heart disease screening.

DETAIL: This language was also included in SF 393 (Newborn Heart Screening Bill).

20 2 3. This section does not apply if a parent objects to
 20 3 the screening. If a parent objects to the screening of a
 20 4 newborn, the attending health care provider shall document the
 20 5 refusal in the newborn's medical record and shall obtain a
 20 6 written refusal from the parent and report the refusal to the
 20 7 department.

FISCAL IMPACT: This provision has no fiscal impact to the State. There will be some impact to birthing hospitals to update testing equipment, but the amount cannot be estimated.

20 8 4. Notwithstanding any provision to the contrary, the
 20 9 results of each newborn's critical congenital heart disease
 20 10 screening shall only be reported in a manner consistent with
 20 11 the reporting of the results of metabolic screenings pursuant
 20 12 to section 136A.5 if funding is available for implementation
 20 13 of the reporting requirement.

20 14 5. This section shall be administered in accordance with
 20 15 rules adopted pursuant to section 136A.8.

20 16 Sec. 62. NEWBORN CRITICAL CONGENITAL HEART DISEASE

20 17 SCREENING. Notwithstanding any provision to the contrary
 20 18 relating to the newborn screening policy pursuant to 641 IAC
 20 19 4.3(1), critical congenital heart disease screening shall be
 20 20 included in the state's newborn screening panel as included
 20 21 in the recommended uniform screening panel as approved by
 20 22 the United States secretary of health and human services.
 20 23 The center for congenital and inherited disorders advisory
 20 24 committee shall make recommendations regarding implementation
 20 25 of the screening and the center for congenital and inherited
 20 26 disorders shall adopt rules as necessary to implement the
 20 27 screening. However, reporting of the results of each newborn's
 20 28 critical congenital heart disease screening shall not be
 20 29 required unless funding is available for implementation of the
 20 30 reporting requirement.

20 31 DIVISION VIII
 20 32 RIGHT TO CURE — CLOSED CREDIT CARD ACCOUNTS

20 33 Sec. 63. Section 537.5110, subsection 4, paragraph c, Code
 20 34 2013, is amended to read as follows:
 20 35 c. Until the expiration of the minimum applicable period
 21 1 after the notice is given, the consumer may cure the default by
 21 2 tendering either the amount of all unpaid installments due at
 21 3 the time of the tender, without acceleration, plus any unpaid
 21 4 delinquency or deferral charges, or the amount stated in the
 21 5 notice of right to cure, whichever is less, or by tendering any
 21 6 performance necessary to cure any default other than nonpayment
 21 7 of amounts due, which is described in the notice of right to
 21 8 cure. The act of curing a default restores to the consumer
 21 9 the consumer's rights under the agreement as though no default
 21 10 had occurred, except as provided in subsection 3. However,
 21 11 where the obligation in default is a credit card account that
 21 12 has been closed, the act of curing a default does not restore
 21 13 to the consumer the consumer's rights under the agreement as
 21 14 though no default had occurred.

CODE: Clarifies that curing a default for a closed credit card account does not restore the consumer's rights under the credit card agreement.

DETAIL: Cure of a default by a consumer typically involves the creditor giving notice to the consumer that a default has occurred and allowing the consumer a specified period of time to rectify the default. If the default is cured, the credit relationship continues as agreed. This language clarifies that a closed credit card account is not reopened if there has been a default and the consumer resolves the default.

21 15 Sec. 64. Section 537.5111, Code 2013, is amended by adding
 21 16 the following new subsection:
 21 17 NEW SUBSECTION 4A. If the consumer credit transaction is
 21 18 a credit card account that has been closed, the notice shall
 21 19 conform to the requirements of subsection 2, and a notice in
 21 20 substantially the form specified in that subsection complies
 21 21 with this subsection except that the statement relating to
 21 22 continuation of the contract upon correction of the default as
 21 23 though the consumer did not default shall not be contained in
 21 24 the notice.

CODE: Excludes the statement relating to continuation of the contract upon correction of a default from a notice being given for a closed credit card account.

<p>21 26 PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE</p> <p>21 27 Sec. 65. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.</p> <p>21 28 1. A public safety training and facilities task force is</p> <p>21 29 established. The department of public safety shall provide</p> <p>21 30 administrative support for the task force.</p> <p>21 31 2. The task force shall consist of the following members:</p> <p>21 32 a. One member appointed by the Iowa state sheriffs' and</p> <p>21 33 deputies' association.</p> <p>21 34 b. One member appointed by the Iowa police chiefs</p> <p>21 35 association.</p> <p>22 1 c. One member who is a fire fighter appointed by the Iowa</p> <p>22 2 professional fire fighters association.</p> <p>22 3 d. One member who is the administrator of the Iowa fire</p> <p>22 4 service training bureau or the administrator's designee.</p> <p>22 5 e. One member who is a representative of the fire service</p> <p>22 6 who is not a fire chief appointed by the Iowa firefighters</p> <p>22 7 association.</p> <p>22 8 f. The director of the Iowa law enforcement academy or the</p> <p>22 9 director's designee.</p> <p>22 10 g. The commissioner of public safety or the training</p> <p>22 11 coordinator of the department of public safety, as designated</p> <p>22 12 by the commissioner.</p> <p>22 13 h. The state fire marshal or the state fire marshal's</p> <p>22 14 designee.</p> <p>22 15 i. One member appointed by the Iowa state police</p> <p>22 16 association.</p> <p>22 17 j. One member who is a fire chief appointed by the Iowa fire</p> <p>22 18 chiefs association.</p> <p>22 19 k. One member appointed by the Iowa emergency medical</p> <p>22 20 services association.</p> <p>22 21 l. One member appointed by the Iowa emergency management</p> <p>22 22 association.</p> <p>22 23 m. One member who is a fire chief appointed by the Iowa</p> <p>22 24 association of professional fire chiefs.</p> <p>22 25 n. One member who is a member of the office of motor vehicle</p> <p>22 26 enforcement of the department of transportation appointed by</p> <p>22 27 the director of the department of transportation.</p> <p>22 28 o. Four members of the general assembly serving as</p> <p>22 29 ex officio, nonvoting members, one representative to be</p> <p>22 30 appointed by the speaker of the house of representatives, one</p> <p>22 31 representative to be appointed by the minority leader of the</p> <p>22 32 house of representatives, one senator to be appointed by the</p> <p>22 33 majority leader of the senate, and one senator to be appointed</p> <p>22 34 by the minority leader of the senate.</p> <p>22 35 3. The voting members of the task force shall select one</p> <p>23 1 chairperson and one vice chairperson. The vice chairperson</p> <p>23 2 shall preside in the absence of the chairperson. Section</p>	<p>Creates a Public Safety Training and Facilities Task Force. The Task Force is charged with developing a coordinated plan for a consolidated fire and police public safety training facility and to establish a consistent funding mechanism to defray public safety training costs on an ongoing basis. The Task Force is expected to report to the General Assembly with interim reports on December 31 each year with the final report due December 31, 2016.</p>
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23 3 69.16A shall apply to the appointed members of the task force.
 23 4 4. It is the intent of the general assembly in establishing
 23 5 this task force that the task force develop a coordinated
 23 6 plan amongst all public safety disciplines that would oversee
 23 7 the construction of a consolidated fire and police public
 23 8 safety training facility, provide for the establishment of a
 23 9 governance board for the public safety disciplines and the
 23 10 consolidated facility, and to establish a consistent and steady
 23 11 funding mechanism to defray public safety training costs on an
 23 12 ongoing basis.

23 13 5. The task force shall seek and consider input from all
 23 14 interested stakeholders and members of the public and shall
 23 15 include an emphasis on receiving input from fire service, law
 23 16 enforcement, and emergency medical services personnel. The
 23 17 task force shall consider and develop strategies relating to
 23 18 public safety training facility governance with the goal of
 23 19 all public safety disciplines being represented. Each public
 23 20 safety discipline shall advise the task force by developing
 23 21 individual training policies as determined by the discipline's
 23 22 governing bodies. The task force shall also develop a proposal
 23 23 for a joint public safety training facility, a budget for
 23 24 construction and future operation of the facility, financing
 23 25 options, including possible public-private partnerships, for
 23 26 construction and operation of the facility, and potential
 23 27 locations for the facility that are centrally located in this
 23 28 state.

23 29 6. a. The task force shall provide interim reports to the
 23 30 general assembly by December 31 of each year concerning the
 23 31 activities of the task force and shall submit its final report,
 23 32 including its findings and recommendations, to the general
 23 33 assembly by December 31, 2016.

23 34 b. The final report shall include but not be limited to
 23 35 recommendations concerning the following:

24 1 (1) Consolidation of public safety governance within a
 24 2 single board and the membership of the board. Board duties
 24 3 would include overseeing the construction and maintenance of a
 24 4 consolidated fire and police public safety training facility.

24 5 (2) Development of a consolidated fire and police public
 24 6 safety training facility, including possible locations,
 24 7 building recommendations, and financing options.

24 8 (3) Any other recommendations relating to public safety
 24 9 training and facilities requirements.

24 10 Sec. 66. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE ———
 24 11 ADMINISTRATIVE SUPPORT. There is appropriated from the general
 24 12 fund of the state to the department of public safety for the
 24 13 fiscal year beginning July 1, 2012, and ending June 30, 2013,
 24 14 the following amount, or so much thereof as is necessary, to be

General Fund supplemental appropriation of \$50,000 for FY 2013 to
 the Department of Public Safety for providing administrative support to
 the Public Safety Training and Facilities Task Force. The funds will
 remain available for expenditure through FY 2017.

24 15 used for the purposes designated:
 24 16 For providing administrative support for the public safety
 24 17 training and facilities task force as enacted in this Act:
 24 18 \$ 50,000
 24 19 Notwithstanding section 8.33, moneys appropriated in this
 24 20 section that remain unencumbered or unobligated at the close of
 24 21 the fiscal year shall not revert but shall remain available for
 24 22 expenditure for the purposes designated until the close of the
 24 23 fiscal year that begins July 1, 2016.

24 24 Sec. 67. EFFECTIVE UPON ENACTMENT. This division of this
 24 25 Act, being deemed of immediate importance, takes effect upon
 24 26 enactment.

This Division is effective on enactment.

24 27 DIVISION X
 24 28 CIGARETTE FIRE SAFETY STANDARD FUND

24 29 Sec. 68. Section 101B.5, subsection 5, Code 2013, is amended
 24 30 to read as follows:

24 31 5. For each cigarette listed in a certification, a
 24 32 manufacturer shall pay a fee of one hundred dollars to the
 24 33 department. The department shall deposit all fees received
 24 34 pursuant to this subsection with the treasurer of state for
 24 35 credit to the general fund of the state.

CODE: Requires the Department of Public Safety to deposit all fees received for cigarette certifications in the State General Fund beginning July 1, 2013 (FY 2014).

25 1 Sec. 69. Section 101B.8, Code 2013, is amended by adding the
 25 2 following new subsection:
 25 3 NEW SUBSECTION 10. The department shall deposit any moneys
 25 4 received from civil penalties assessed pursuant to this section
 25 5 with the treasurer of state for credit to the general fund of
 25 6 the state.

CODE: Requires the Department of Public Safety to deposit all moneys received from civil penalties assessed for making a false certification in the State General Fund beginning July 1, 2013 (FY 2014).

25 7 Sec. 70. Section 101B.9, Code 2013, is amended to read as
 25 8 follows:

25 9 101B.9 CIGARETTE FIRE SAFETY STANDARD FUND.

25 10 A cigarette fire safety standard fund is created as a
 25 11 special fund in the state treasury under the control of the
 25 12 department of public safety. The fund shall consist of all
 25 13 moneys recovered from the assessment of civil penalties or
 25 14 certification fees under this chapter. ~~The moneys in the~~
 25 15 ~~fund shall, in~~ In addition to any moneys made available for
 25 16 such purpose, ~~be available, subject to appropriation, moneys~~
 25 17 ~~in the fund are appropriated~~ to the department of public
 25 18 safety for the purpose of fire safety and prevention programs,
 25 19 including for entry level fire fighter training, equipment, and
 25 20 operations.

CODE: Permits current revenues in the Cigarette Fire Safety Fund to be used by the Department of Public Safety for fire safety and prevention programs.

25 21 Sec. 71. REPEAL. Section 101B.9, Code 2013, is repealed.

CODE: Repeals the Cigarette Fire Safety Fund at the end of FY 2013.

25 22 Sec. 72. CIGARETTE FIRE SAFETY STANDARD FUND.
 25 23 Notwithstanding section 8.33, or any other provision of law
 25 24 to the contrary, the unencumbered or unobligated balance of
 25 25 the cigarette fire safety standard fund at the close of the
 25 26 fiscal year beginning July 1, 2012, shall not revert but shall
 25 27 remain available for expenditure for purposes of the regional
 25 28 emergency response training centers, on an equal basis, until
 25 29 the close of the succeeding fiscal year.

Requires any money remaining in the Cigarette Fire Safety Standard Fund at the end of FY 2013 will be distributed to the 11 Regional Emergency Response Training Centers on an equal basis.

25 30 Sec. 73. EFFECTIVE UPON ENACTMENT. Except for the section
 25 31 of this division of this Act repealing section 101B.9 which
 25 32 shall take effect July 1, 2013, this division of this Act,
 25 33 being deemed of immediate importance, takes effect upon
 25 34 enactment.

This Division, with the exception of repeal of the Cigarette Fire Safety Standard Fund, is effective on enactment.

25 35 Sec. 74. RETROACTIVE APPLICABILITY. The following
 26 1 provision or provisions of this division of this Act apply
 26 2 retroactively to July 1, 2007:
 26 3 1. The section amending section 101B.9.

The statutory change that permits the Department of Public Safety to spend money currently in the Cigarette and Fire Safety Standard Fund, and authorizes prior expenditures by the Department, is effective retroactively to July 1, 2007 (FY 2008).

26 4 DIVISION XI
 26 5 IGNITION INTERLOCK

26 6 Sec. 75. Section 321J.20, subsections 1 and 2, Code 2013,
 26 7 are amended to read as follows:
 26 8 1. a. The department may, on application, issue a temporary
 26 9 restricted license to a person whose noncommercial driver's
 26 10 license is revoked under this chapter allowing the person to
 26 11 drive to and from the person's home and specified places at
 26 12 specified times which can be verified by the department and
 26 13 which are required by ~~the any of the following~~:
 26 14 (1) The person's full-time or part-time employment;
 26 15 (2) The person's continuing health care or the continuing
 26 16 health care of another who is dependent upon the person;
 26 17 (3) The person's continuing education while enrolled in an
 26 18 educational institution on a part-time or full-time basis and
 26 19 while pursuing a course of study leading to a diploma, degree,
 26 20 or other certification of successful educational completion;
 26 21 (4) The person's substance abuse treatment; and to attend
 26 22 groups whose purpose is to eliminate or reduce alcohol or other
 26 23 drug use.
 26 24 (5) The person's court-ordered community service
 26 25 responsibilities, and appointments;
 26 26 (6) Appointments with the person's parole or probation
 26 27 officer;
 26 28 (7) Transport of the person's dependent minor child to and
 26 29 from school when public school transportation is not available

Permits the issuance of a temporary restricted driver's license under certain conditions to persons whose license has been revoked for a violation of Operating While Intoxicated (OWI). For first time offenders the list of conditions under which a temporary restricted license may be issued is expanded by adding; transportation of a dependent minor child to school; child care to accommodate employment of the person whose license has been revoked; or to drive for purposes within the scope of employment if the vehicle is equipped at all times with an ignition interlock device. The provision also extends the same conditions to persons with one previous revocation under Iowa Code chapter 321J. Persons with more than two OWI offenses may only receive a temporary restricted license for the purposes of full-time or part-time employment; continuing education; substance abuse treatment and to attend groups whose purpose is to eliminate or reduce alcohol or drug use.

DETAIL: During calendar year 2012, the Department of Transportation issued a total of 5,060 temporary restricted licenses under Iowa Code chapter 321J.

26 30 for the child.
26 31 (8) Transport of the person's dependent minor child to and
26 32 from child care when necessary for the person's full-time or
26 33 part-time employment.
26 34 b. The department may also issue a temporary restricted
26 35 license under this subsection that allows the person to drive
27 1 for work purposes within the scope of the person's full-time or
27 2 part-time employment. Any vehicle operated within the scope of
27 3 the person's full-time or part-time employment must be equipped
27 4 at all times with an ignition interlock device of a type
27 5 approved by the commissioner of public safety, notwithstanding
27 6 any provision of section 321J.4, 321J.9, or 321J.12 to the
27 7 contrary.
27 8 c. The department may issue a temporary restricted license
27 9 under this subsection only if the person's driver's license has
27 10 not been revoked previously under section 321J.4, 321J.9, or
27 11 321J.12 and if any of the following apply:
27 12 (1) The person's noncommercial driver's license is revoked
27 13 under section 321J.4 and the minimum period of ineligibility
27 14 for issuance of a temporary restricted license has expired.
27 15 This subsection shall not apply to a revocation ordered under
27 16 section 321J.4 resulting from a plea or verdict of guilty of a
27 17 violation of section 321J.2 that involved a death.
27 18 (2) The person's noncommercial driver's license is revoked
27 19 under section 321J.9 and the person has entered a plea of
27 20 guilty on a charge of a violation of section 321J.2 which
27 21 arose from the same set of circumstances which resulted in
27 22 the person's driver's license revocation under section 321J.9
27 23 and the guilty plea is not withdrawn at the time of or after
27 24 application for the temporary restricted license, and the
27 25 minimum period of ineligibility for issuance of a temporary
27 26 restricted license has expired.
27 27 (3) The person's noncommercial driver's license is revoked
27 28 under section 321J.12, and the minimum period of ineligibility
27 29 for issuance of a temporary restricted license has expired.
27 30 ~~—b. d.~~ A temporary restricted license may be issued under
27 31 this subsection if the person's noncommercial driver's license
27 32 is revoked for two years under section 321J.4, subsection 2, or
27 33 section 321J.9, subsection 1, paragraph "b", and the first three
27 34 hundred sixty-five days of the revocation have expired.
27 35 ~~—e. e.~~ This subsection does not apply to a person whose
28 1 license was revoked under section 321J.2A or section 321J.4,
28 2 subsection 4 or 6, or to a person whose license is suspended or
28 3 revoked for another reason.
28 4 ~~—f. f.~~ Following the applicable minimum period of
28 5 ineligibility, a temporary restricted license under this
28 6 subsection shall not be issued until the applicant installs
28 7 an ignition interlock device of a type approved by the

28 8 commissioner of public safety on all motor vehicles owned or
28 9 operated by the applicant in accordance with section 321J.2,
28 10 321J.4, 321J.9, or 321J.12, or this subsection. Installation
28 11 of an ignition interlock device under this subsection shall
28 12 be required for the period of time for which the temporary
28 13 restricted license is issued and for such additional period
28 14 of time following reinstatement as is required under section
28 15 321J.17, subsection 3.

28 16 2. a. Notwithstanding section 321.560, the department may,
28 17 on application, and upon the expiration of the minimum period
28 18 of ineligibility for a temporary restricted license provided
28 19 for under section 321.560, 321J.4, 321J.9, or 321J.12, issue a
28 20 temporary restricted license to a person whose noncommercial
28 21 driver's license has either been revoked under this chapter, or
28 22 revoked or suspended under chapter 321 solely for violations
28 23 of this chapter, or who has been determined to be a habitual
28 24 offender under chapter 321 based solely on violations of this
28 25 chapter or on violations listed in section 321.560, subsection
28 26 1, paragraph "b", and who is not eligible for a temporary
28 27 restricted license under subsection 1. However, the department
28 28 may not issue a temporary restricted license under this
28 29 subsection for a violation of section 321J.2A or to a person
28 30 under the age of twenty-one whose license is revoked under
28 31 section 321J.4, 321J.9, or 321J.12. A

28 32 (1) If the person has no more than one previous revocation
28 33 under this chapter, a temporary restricted license issued under
28 34 this subsection may allow the person to drive to and from the
28 35 person's home and specified places at specified times which can
29 1 be verified by the department and which are required by any of
29 2 the following:

29 3 (a) The person's full-time or part-time employment.
29 4 (b) The person's continuing health care or the continuing
29 5 health care of another who is dependent upon the person.
29 6 (c) The person's continuing education while enrolled in an
29 7 educational institution on a part-time or full-time basis and
29 8 while pursuing a course of study leading to a diploma, degree,
29 9 or other certification of successful educational completion.
29 10 (d) The person's substance abuse treatment and to attend
29 11 groups whose purpose is to eliminate or reduce alcohol or other
29 12 drug use.
29 13 (e) The person's court-ordered community service
29 14 responsibilities.
29 15 (f) Appointments with the person's parole or probation
29 16 officer.
29 17 (g) Transport of the person's dependent minor child to and
29 18 from child care when necessary for the person's full-time or
29 19 part-time employment.
29 20 (2) If the person has more than one previous revocation

29 21 under this chapter, a temporary restricted license issued under
 29 22 this subsection may allow the person to drive to and from the
 29 23 person's home and specified places at specified times which can
 29 24 be verified by the department and which are required by ~~the~~ any
 29 25 of the following:

29 26 (a) The person's full-time or part-time employment;
 29 27 (b) The person's continuing education while enrolled in an
 29 28 educational institution on a part-time or full-time basis and
 29 29 while pursuing a course of study leading to a diploma, degree,
 29 30 or other certification of successful educational completion;
 29 31 or

29 32 (c) The person's substance abuse treatment and to attend
 29 33 groups whose purpose is to eliminate or reduce alcohol or other
 29 34 drug use.

29 35 DIVISION XII
 30 1 NOTARY PUBLIC

30 2 Sec. 76. Section 9B.15, subsection 3, unnumbered paragraph
 30 3 1, Code 2013, is amended to read as follows:

30 4 A certificate of a notarial act is sufficient if it meets
 30 5 the requirements of subsections 1 and 2 and ~~at~~ any of the
 30 6 following apply:

30 7 Sec. 77. Section 9B.17, subsection 1, paragraph a, Code
 30 8 2013, is amended to read as follows:

30 9 a. Include the notary public's name, the words "Notarial
 30 10 Seal" and "Iowa", the words "Commission Number" followed by
 30 11 a number assigned to the notary public by the secretary of
 30 12 state, the words "My Commission Expires" followed either by the
 30 13 date that the notary public's term would ordinarily expire as
 30 14 provided in section 9B.21 or a blank line on which the notary
 30 15 public shall indicate the date of expiration, if any, of the
 30 16 notary public's commission, as required by and in satisfaction
 30 17 of section 9B.15, subsection 1, paragraph "e", and other
 30 18 information required by the secretary of state.

30 19 Sec. 78. Section 321I.31, subsection 3, Code 2013, is
 30 20 amended to read as follows:

30 21 3. An owner of an all-terrain vehicle shall apply to
 30 22 the county recorder for issuance of a certificate of title
 30 23 within thirty days after acquisition. The application shall
 30 24 be on forms the department prescribes and accompanied by the
 30 25 required fee. The application shall be signed and sworn to
 30 26 before a ~~notary public~~ notarial officer as provided in chapter
 30 27 9B or other person who administers oaths, or shall include a
 30 28 certification signed in writing containing substantially the
 30 29 representation that statements made are true and correct to the
 30 30 best of the applicant's knowledge, information, and belief,
 30 31 under penalty of perjury. The application shall contain the

Provides technical and conforming changes to the Notary Public statute in the Iowa Code.

30 32 date of sale and gross price of the all-terrain vehicle or the
30 33 fair market value if no sale immediately preceded the transfer
30 34 and any additional information the department requires. If the
30 35 application is made for an all-terrain vehicle last previously
31 1 registered or titled in another state or foreign country,
31 2 the application shall contain this information and any other
31 3 information the department requires.

31 4 Sec. 79. Section 462A.77, subsection 4, Code 2013, is
31 5 amended to read as follows:

31 6 4. Every owner of a vessel subject to titling under this
31 7 chapter shall apply to the county recorder for issuance of
31 8 a certificate of title for the vessel within thirty days
31 9 after acquisition. The application shall be on forms the
31 10 department prescribes, and accompanied by the required fee.
31 11 The application shall be signed and sworn to before a ~~notary~~
31 12 ~~public~~ notarial officer as provided in chapter 9B or other
31 13 person who administers oaths, or shall include a certification
31 14 signed in writing containing substantially the representation
31 15 that statements made are true and correct to the best of the
31 16 applicant's knowledge, information, and belief, under penalty
31 17 of perjury. The application shall contain the date of sale
31 18 and gross price of the vessel or the fair market value if no
31 19 sale immediately preceded the transfer, and any additional
31 20 information the department requires. If the application
31 21 is made for a vessel last previously registered or titled
31 22 in another state or foreign country, it shall contain this
31 23 information and any other information the department requires.

31 24 Sec. 80. Section 554.3505, subsection 2, Code 2013, is
31 25 amended to read as follows:

31 26 2. A protest is a certificate of dishonor made by a United
31 27 States consul or vice consul, or a ~~notary public~~ notarial
31 28 officer as provided in chapter 9B or other person authorized to
31 29 administer oaths by the law of the place where dishonor occurs.
31 30 It may be made upon information satisfactory to that person.
31 31 The protest must identify the instrument and certify either
31 32 that presentment has been made or, if not made, the reason why
31 33 it was not made, and that the instrument has been dishonored by
31 34 nonacceptance or nonpayment. The protest may also certify that
31 35 notice of dishonor has been given to some or all parties.

32 1 Sec. 81. Section 589.4, Code 2013, is amended to read as
32 2 follows:

32 3 589.4 ACKNOWLEDGMENTS BY CORPORATION OFFICERS.

32 4 The acknowledgments of all deeds, mortgages, or other
32 5 instruments in writing taken or certified more than ten years
32 6 earlier, which instruments have been recorded in the recorder's
32 7 office of any county of this state, including acknowledgments
32 8 of instruments made by a corporation, or to which the
32 9 corporation was a party, or under which the corporation was

32 10 a beneficiary, and which have been acknowledged before or
 32 11 certified by a ~~notary public~~ notarial officer as provided
 32 12 in chapter 9B who was at the time of the acknowledgment or
 32 13 certifying a stockholder or officer in the corporation, are
 32 14 legal and valid official acts of the notaries public, and
 32 15 entitle the instruments to be recorded, anything in the laws
 32 16 of the state of Iowa in regard to acknowledgments to the
 32 17 contrary notwithstanding. This section does not affect pending
 32 18 litigation.

32 19 Sec. 82. Section 589.5, Code 2013, is amended to read as
 32 20 follows:

32 21 589.5 ACKNOWLEDGMENTS BY STOCKHOLDERS.

32 22 All deeds and conveyances of lands within this state
 32 23 executed more than ten years earlier, but which have been
 32 24 acknowledged or proved according to and in compliance with the
 32 25 laws of this state before a ~~notary public~~ notarial officer
 32 26 as provided in chapter 9B or other official authorized by
 32 27 law to take acknowledgments who was, at the time of the
 32 28 acknowledgment, an officer or stockholder of a corporation
 32 29 interested in the deed or conveyance, or otherwise interested
 32 30 in the deeds or conveyances, are, if otherwise valid, valid
 32 31 in law as though acknowledged or proved before an officer not
 32 32 interested in the deeds or conveyances; and if recorded more
 32 33 than ten years earlier, in the respective counties in which the
 32 34 lands are, the records are valid in law as though the deeds
 32 35 and conveyances, so acknowledged or proved and recorded, had,
 33 1 prior to being recorded, been acknowledged or proved before an
 33 2 officer having no interest in the deeds or conveyances.

33 3 Sec. 83. Section 622.86, Code 2013, is amended to read as
 33 4 follows:

33 5 622.86 FOREIGN AFFIDAVITS.

33 6 Those taken out of the state before any judge or clerk of
 33 7 a court of record, or before a ~~notary public~~ notarial officer
 33 8 as provided in chapter 9B, or a commissioner appointed by
 33 9 the governor of this state to take acknowledgment of deeds
 33 10 in the state where such affidavit is taken, are of the same
 33 11 credibility as if taken within the state.

33 12 DIVISION XIII
 33 13 CORN PROMOTION BOARD

33 14 Sec. 84. Section 185C.1, Code 2013, is amended by adding the
 33 15 following new subsection:

33 16 NEW SUBSECTION 4A. "Director" means a district elected
 33 17 director or a board elected director as provided in section
 33 18 185C.6.

33 19 Sec. 85. Section 185C.1, subsection 5, Code 2013, is amended
 33 20 to read as follows:

Increases the maximum per bushel assessment remitted to the Corn
 Promotion Board from one cent to five cents over a 15-year schedule.
 Changing assessment rates requires a district referendum, and this will
 not automatically increase assessment rates. Maximum assessment
 rates increase one cent every five years with the first one cent
 increase on on September 1, 2013. In 2023, the assessment cap will
 be five cents. Requires the Board to consist of 12 directors, with one

33 21 5. "District" means an official crop reporting district
 33 22 formed by the United States department of agriculture for use
 33 23 on January 1, 2013, and set out in the annual farm census
 33 24 published in that year by the ~~lowa~~ department of agriculture
 33 25 and land stewardship.

33 26 Sec. 86. Section 185C.3, Code 2013, is amended to read as
 33 27 follows:

33 28 185C.3 ESTABLISHMENT OF CORN PROMOTION BOARD.
 33 29 If a majority of the producers voting in the referendum
 33 30 election approve the passage of the promotional order, an Iowa
 33 31 corn promotion board shall be established. ~~The board shall~~
 33 32 ~~consist of one director elected from each district in the~~
 33 33 ~~state, except that a district producing more than an average~~
 33 34 ~~of one hundred million bushels of corn in the three previous~~
 33 35 ~~marketing years is entitled to two directors.~~

34 1 Sec. 87. Section 185C.6, Code 2013, is amended by striking
 34 2 the section and inserting in lieu thereof the following:

34 3 185C.6 NUMBER AND ELECTION OF DIRECTORS.
 34 4 The Iowa corn promotion board established pursuant to
 34 5 section 185C.3 shall be composed of directors elected as
 34 6 provided in this chapter. The directors shall include all of
 34 7 the following:

34 8 1. NINE DISTRICT ELECTED DIRECTORS. Each such director
 34 9 shall be elected from a district as provided in section 185C.5,
 34 10 this section, and sections 185C.7 and 185C.8. A candidate
 34 11 receiving the highest number of votes in each district shall be
 34 12 elected to represent that district.

34 13 2. THREE BOARD ELECTED DIRECTORS. Each such director shall
 34 14 be elected by the board. The candidate receiving the highest
 34 15 number of votes by the board shall be elected to represent the
 34 16 state on at-large basis.

34 17 Sec. 88. Section 185C.7, Code 2013, is amended to read as
 34 18 follows:

34 19 185C.7 TERMS OF DIRECTORS.

34 20 1.—Director terms ~~A director's term of office~~ shall be for
 34 21 three years ~~and no. A district elected director of the board~~
 34 22 shall not serve for more than three complete consecutive terms.
 34 23 A board elected director shall not serve for more than one
 34 24 complete term of office. A district elected director who is
 34 25 elected as board elected director shall not serve more than a
 34 26 total of four terms of office, regardless of whether any of the
 34 27 terms of office are complete or consecutive.

34 28 2. If the board is reconstituted pursuant to section 185C.8,
 34 29 the terms of the directors shall be controlled by this section.
 34 30 However, the initial terms of the reconstituted board shall
 34 31 be staggered. To the extent practicable, one-third of the
 34 32 elected directors shall serve an initial term of one year,
 34 33 one-third of the elected directors shall serve an initial term

director from each of the nine districts. The remaining three directors
 are elected by the Board and serve at large. A director elected by the
 Board must have served as a district elected director, and is limited to
 four total terms in office. The Board must meet three times a year.
 Districts are organized based on the crop reporting districts formed by
 the United States Department of Agriculture for use on January 1,
 2013.

34 34 of two years, and one-third of the elected directors shall
34 35 serve an initial term of three years. The initial terms of
35 1 board elected directors shall be determined by board ~~members~~
35 2 directors drawing lots. ~~The board elected under this paragraph~~
35 3 ~~shall not contain two directors from the same district serving~~
35 4 ~~the same term.~~

35 5 Sec. 89. Section 185C.8, Code 2013, is amended to read as
35 6 follows:

35 7 ~~185C.8—ELECTIONS~~ ADMINISTRATION OF ELECTIONS FOR DIRECTORS .

35 8 1. The Iowa corn promotion board shall administer elections
35 9 for district elected directors of the board with the assistance
35 10 of the secretary. Prior to the expiration of a director's
35 11 term of office, the board shall appoint a nominating committee
35 12 for the district represented by that director. The nominating
35 13 committee shall consist of five producers who are residents
35 14 of the district from which a director must be elected. The
35 15 nominating committee shall nominate two resident producers as
35 16 candidates for each director position for which an election
35 17 is to be held. Additional candidates may be nominated by
35 18 a written petition of twenty-five producers. Procedures
35 19 governing the time and place of filing shall be adopted and
35 20 publicized by the board.

35 21 Following recommencement of the promotional order,
35 22 or termination of the promotional order's suspension as
35 23 provided in section 185C.24, the secretary shall order the
35 24 reconstitution of the board. An election of district elected
35 25 directors shall be held within thirty days from the date of the
35 26 order. The secretary shall call for, provide for notice of,
35 27 conduct, and certify the results of the election in a manner
35 28 consistent with section 185C.5 through 185C.7. Directors shall
35 29 serve terms as provided in section 185C.7. Rules or procedures
35 30 adopted by the board and in effect at the date of suspension
35 31 shall continue in effect upon reconstitution of the board.
35 32 The Iowa corn growers association may nominate two resident
35 33 producers as candidates for each director position. Additional
35 34 candidates may be nominated by a written petition of at least
35 35 twenty-five producers.

36 1 2. The Iowa corn promotion board shall administer elections
36 2 for board elected directors. Prior to the expiration of a
36 3 board elected director's term of office, the board may appoint
36 4 a nominating committee. In order to be eligible for nomination
36 5 and election, a candidate must have previously served on the
36 6 board as an elected director. An officer of the board shall
36 7 certify the results of the election.

36 8 Sec. 90. Section 185C.10, subsection 3, Code 2013, is
36 9 amended by striking the subsection.

36 10 Sec. 91. Section 185C.14, subsection 3, Code 2013, is
36 11 amended to read as follows:

36 12 3. The board shall meet at least ~~once every three months~~
36 13 times each year, and at such other times as deemed necessary
36 14 by the board.

36 15 Sec. 92. Section 185C.21, subsection 2, Code 2013, is
36 16 amended to read as follows:

36 17 2. Upon request of the board, the secretary shall call
36 18 a special referendum for producers to vote on whether to
36 19 authorize an increase in the state assessment above one-quarter
36 20 of one cent per bushel, notwithstanding subsection 1. The
36 21 special referendum shall be conducted as provided in this
36 22 chapter for referendum elections. However, the special
36 23 referendum shall not affect the existence or length of the
36 24 promotional order in effect. If a majority of the producers
36 25 voting in the special referendum approve the increase, the
36 26 board may increase the assessment to the amount approved in
36 27 the special referendum. However, a state assessment shall not
36 28 exceed ~~one cent per a scheduled amount assessed on each~~ bushel
36 29 of corn marketed in this state determined as follows:

36 30 a. Until September 1, 2013, one cent.
36 31 b. For each marketing year of the period beginning September
36 32 1, 2013, and ending August 31, 2018, two cents.
36 33 c. For each marketing year of the period beginning September
36 34 1, 2018, and ending August 31, 2023, three cents.
36 35 d. For each marketing year of the period beginning September
37 1 1, 2023, and ending August 31, 2028, four cents.
37 2 e. For each marketing year beginning on and after September
37 3 1, 2028, five cents.

37 4 Sec. 93. Section 185C.27, Code 2013, is amended to read as
37 5 follows:

37 6 185C.27 REFUND OF ASSESSMENT.

37 7 A producer who has sold corn and had a state assessment
37 8 deducted from the sale price, by application in writing to
37 9 the board, may secure a refund in the amount deducted. The
37 10 refund shall be payable only when the application shall have
37 11 been made to the board within sixty days after the deduction.

37 12 Application forms shall be given by the board to each first
37 13 purchaser when requested and the first purchaser shall make the
37 14 applications available to any producer. Each application for
37 15 refund by a producer shall have attached to the application
37 16 proof of the assessment deducted. The proof of assessment
37 17 may be in the form of a duplicate or certified copy of the
37 18 purchase invoice by the first purchaser. The board shall have
37 19 thirty business days from the date the application for refund
37 20 is received to remit the refund to the producer. The board
37 21 may provide for refunds of a federal assessment as provided by
37 22 federal law. Unless inconsistent with federal law, refunds
37 23 shall be made under section 185C.26.

37 24 Sec. 94. IMPLEMENTATION. The Iowa corn promotion board

37 25 established pursuant to section 185C.3 shall implement this
 37 26 Act.
 37 27 1. During the implementation period all of the following
 37 28 shall apply:
 37 29 a. The board shall provide for staggered terms of directors
 37 30 in the same manner as required for the initial terms of office
 37 31 of a reconstituted board pursuant to section 185C.7. However,
 37 32 the board is not required to draw lots as otherwise provided in
 37 33 that section.
 37 34 b. The board is not required to fill a vacancy for an
 37 35 unexpired term as required in section 185C.9.
 38 1 c. The board may reduce the number of years of a director's
 38 2 term in order to comply with this section.
 38 3 2. The board shall complete implementation of this Act not
 38 4 later than July 1, 2014.
 38 5 Sec. 95. EFFECTIVE UPON ENACTMENT. This Act, being deemed
 38 6 of immediate importance, takes effect upon enactment.

38 7 DIVISION XIV
 38 8 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

38 9 Sec. 96. Section 312.3, subsection 2, Code 2013, is amended
 38 10 by adding the following new paragraph:
 38 11 NEW PARAGRAPH d. For purposes of apportioning among the
 38 12 cities of the state the percentage of the road use tax fund to
 38 13 be credited to the street construction fund of the cities for
 38 14 each month beginning April 2011 and ending March 2021 pursuant
 38 15 to this subsection, the population of each city shall be
 38 16 determined by the greater of the population of the city as of
 38 17 the last preceding certified federal census or as of the April
 38 18 1, 2010, population estimates base as determined by the United
 38 19 States census bureau.

CODE: Incorporates changes made to base population estimates determined by the U.S. Census Bureau for the period beginning April 2011 and ending March 2021, for purpose of impacting the distribution of Street Construction Fund to cities.

FISCAL IMPACT: The Street Construction Fund receives an annual allocation from the Road Use Tax Fund for distribution to cities on a per capita basis. This provision will not significantly change the distribution of funds between cities. The base population estimates were changed by 597 persons since the last census.

38 20 Sec. 97. STREET CONSTRUCTION FUND — APPROPRIATION.

38 21 1. In a written application to the treasurer of state
 38 22 submitted by October 1, 2013, a city may request an
 38 23 additional distribution of moneys to be credited to the street
 38 24 construction fund of the city equal to that additional amount,
 38 25 calculated by the treasurer, that the city would have received
 38 26 if the funds were apportioned based upon the population of the
 38 27 city as determined by section 312.3, subsection 2, paragraph
 38 28 "d", as enacted in this division of this Act, for the months
 38 29 prior to the effective date of this division of this Act.
 38 30 2. Upon determination by the treasurer of state that an
 38 31 additional amount should be credited to a city as provided by
 38 32 this section, there is appropriated from the general fund of
 38 33 the state to the department of transportation, for the fiscal
 38 34 year beginning July 1, 2013, and ending June 30, 2014, an

Allows a city submit a request to the Treasurer of State by October 1, 2013, for an additional distribution from the Street Construction Fund for revisions made and certified by the U.S. Census Bureau to a city's population base since the last decennial census. Provides a one-time appropriation, estimated at \$135,000, to the Street Construction Fund for payment to certain cities where corrections were made to the census count by the U.S. Census Bureau as of April 2011.

DETAIL: This will primarily affect Rockwell City whose population base was adjusted by 507 persons by the U.S. Census Bureau.

38 35 amount sufficient to pay the additional amount which shall be
39 1 distributed to the city for deposit in the street construction
39 2 fund of the city.

39 3 Sec. 98. EFFECTIVE UPON ENACTMENT. This division of this
39 4 Act, being deemed of immediate importance, takes effect upon
39 5 enactment.
39 6 Sec. 99. RETROACTIVE APPLICABILITY. This division of this
39 7 Act applies retroactively to April 2011.

This Division is effective on enactment and applies retroactively to April 2011.

SF 452 - Standing Appropriations Bill

General Fund

	FY 2013		FY 2014			FY 2015		
	Estimated	Senate-SF452	Current Law	Senate-SF452	Senate Total	Current Law	Senate-SF452	Senate Total
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Administrative Services, Dept. of</u>								
Volunteer EMS Provider Death Benefit	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Cash Management - Standing	356,587	0	356,587	0	356,587	356,587	0	356,587
Unemployment Compensation - Standing	440,371	0	440,371	0	440,371	440,371	0	440,371
Municipal Fire & Police Retirement	0	9,600,000	0	5,000,000	5,000,000	0	5,000,000	5,000,000
Total Administrative Services, Dept. of	\$ 796,958	\$ 9,600,000	\$ 796,958	\$ 5,000,000	\$ 5,796,958	\$ 796,958	\$ 5,000,000	\$ 5,796,958
<u>Human Rights, Dept. of</u>								
Individual Development Accounts	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	\$ 0	\$ 0	\$ 0
<u>Corrections, Dept. of</u>								
State Cases Court Costs	\$ 59,733	\$ 0	\$ 59,733	\$ 0	\$ 59,733	\$ 59,733	\$ 0	\$ 59,733
<u>Cultural Affairs, Dept. of</u>								
County Endowment Funding - DCA Grants	\$ 416,702	\$ 0	\$ 520,000	\$ 0	\$ 520,000	\$ 520,000	\$ 0	\$ 520,000
<u>Economic Development Authority</u>								
Tourism Marketing - Adjusted Gross Receipts	\$ 810,306	\$ 0	\$ 1,164,000	\$ 0	\$ 1,164,000	\$ 1,164,000	\$ 0	\$ 1,164,000
Regional Tourism	0	0	0	1,164,000	1,164,000	0	1,164,000	1,164,000
Total Economic Development Authority	\$ 810,306	\$ 0	\$ 1,164,000	\$ 1,164,000	\$ 2,328,000	\$ 1,164,000	\$ 1,164,000	\$ 2,328,000
<u>Education, Dept. of</u>								
Child Development	\$ 10,728,891	\$ 0	\$ 12,606,190	\$ 0	\$ 12,606,190	\$ 12,606,190	\$ 0	\$ 12,606,190
Instructional Support	0	0	14,800,000	-14,800,000	0	14,800,000	-14,800,000	0
Nonpublic School Transportation	7,060,931	0	9,660,931	-1,100,000	8,560,931	9,660,931	-1,100,000	8,560,931
Sac Fox Settlement Education	100,000	0	100,000	0	100,000	100,000	0	100,000
State Foundation School Aid (Baseline) †	2,653,718,726	0	2,653,800,000	0	2,653,800,000	2,653,800,000	0	2,653,800,000
AEA School Aid Reduction	0	0	0	0	0	0	0	0
State Aid English Lang. Learners	0	0	0	4,500,000	4,500,000	0	9,500,000	9,500,000
Total Education, Dept. of	\$ 2,671,608,548	\$ 0	\$ 2,690,967,121	\$ -11,400,000	\$ 2,679,567,121	\$ 2,690,967,121	\$ -6,400,000	\$ 2,684,567,121
<u>Iowa Workforce Development</u>								
State Energy Sector Grants	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 0	\$ 150,000	\$ 150,000
<u>Executive Council</u>								
Court Costs	\$ 59,772	\$ 0	\$ 59,772	\$ 0	\$ 59,772	\$ 59,772	\$ 0	\$ 59,772
Public Improvements	39,848	0	39,848	0	39,848	39,848	0	39,848
Drainage Assessment	20,227	0	20,227	0	20,227	20,227	0	20,227
Total Executive Council	\$ 119,847	\$ 0	\$ 119,847	\$ 0	\$ 119,847	\$ 119,847	\$ 0	\$ 119,847
<u>Legislative Branch</u>								
Legislative Branch	\$ 34,237,076	\$ 0	\$ 37,000,000	\$ 0	\$ 37,000,000	\$ 37,000,000	\$ 0	\$ 37,000,000
<u>Governor</u>								
Interstate Extradition	\$ 3,032	\$ 0	\$ 3,032	\$ 0	\$ 3,032	\$ 3,032	\$ 0	\$ 3,032

SF 452 - Standing Appropriations Bill

General Fund

	FY 2013		FY 2014			FY 2015		
	Estimated	Senate-SF452	Current Law	Senate-SF452	Senate Total	Current Law	Senate-SF452	Senate Total
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Public Health, Dept. of								
Congenital & Inherited Disorders Registry	\$ 232,500	\$ 0	\$ 232,500	\$ 0	\$ 232,500	\$ 232,500	\$ 0	\$ 232,500
Human Services, Dept. of								
Commission of Inquiry	\$ 1,394	\$ 0	\$ 1,394	\$ 0	\$ 1,394	\$ 1,394	\$ 0	\$ 1,394
Nonresident Transfers	67	0	67	0	67	67	0	67
Nonresident Commitment Mental Illness	142,802	0	142,802	0	142,802	142,802	0	142,802
Child Abuse Prevention	232,500	0	232,500	0	232,500	232,500	0	232,500
Total Human Services, Dept. of	\$ 376,763	\$ 0	\$ 376,763	\$ 0	\$ 376,763	\$ 376,763	\$ 0	\$ 376,763
Judicial Branch								
Judicial Pension System	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 5,000,000
Management, Dept. of								
Special Olympics Fund	\$ 50,000	\$ 0	\$ 50,000	\$ 50,000	\$ 100,000	\$ 50,000	\$ 50,000	\$ 100,000
Appeal Board Claims	3,586,307	0	7,086,307	0	7,086,307	7,086,307	0	7,086,307
Technology Reinvestment Fund	0	0	17,500,000	0	17,500,000	17,500,000	0	17,500,000
Total Management, Dept. of	\$ 3,636,307	\$ 0	\$ 24,636,307	\$ 50,000	\$ 24,686,307	\$ 24,636,307	\$ 50,000	\$ 24,686,307
Natural Resources, Dept. of								
REAP GF Standing ¹	\$ 0	\$ 0	\$ 20,000,000	\$ 0	\$ 20,000,000	\$ 20,000,000	\$ 0	\$ 20,000,000
Public Defense, Dept. of								
Compensation and Expense	\$ 344,644	\$ 0	\$ 344,644	\$ 0	\$ 344,644	\$ 344,644	\$ 0	\$ 344,644
Public Safety, Department of								
POR Unfunded Liabilities	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Public Safety Training	0	50,000	0	0	0	0	0	0
Total Management, Dept. of	\$ 0	\$ 5,050,000	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Revenue, Dept. of								
Ag Land Tax Credit - GF	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 39,100,000	\$ 0	\$ 39,100,000
Homestead Tax Credit Aid - GF	106,983,518	0	138,000,000	0	138,000,000	139,000,000	0	139,000,000
Elderly & Disabled Tax Credit - GF	24,957,000	0	27,200,000	0	27,200,000	28,700,000	0	28,700,000
Printing Cigarette Stamps	124,652	0	124,652	0	124,652	562,500	0	562,500
Military Service Tax Refunds	2,400,000	0	2,400,000	0	2,400,000	2,400,000	0	2,400,000
Tobacco Reporting Requirements	18,416	0	25,000	-6,584	18,416	25,000	-15,792	9,208
Total Revenue, Dept. of	\$ 173,583,586	\$ 0	\$ 206,849,652	\$ -6,584	\$ 206,843,068	\$ 209,787,500	\$ -15,792	\$ 209,771,708
Transportation, Dept. of								
Airport Traffic Control Grant	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 0	\$ 0	\$ 0
Street Construction Fund	0	0	0	135,000	135,000	0	0	0
Public Transit Vehicle Grants	0	5,000,000	0	0	0	0	0	0
Total Transportation, Dept. of	\$ 0	\$ 5,000,000	\$ 0	\$ 285,000	\$ 285,000	\$ 0	\$ 0	\$ 0
Total Unassigned Standings	\$ 2,886,226,002	\$ 19,650,000	\$ 2,988,070,557	\$ 492,416	\$ 2,988,562,973	\$ 2,991,008,405	\$ 4,948,208	\$ 2,995,956,613

¹ The standing appropriations for State Aid to Schools and the Resource Enhancement and Protection (REAP) Fund are being adjusted in other legislation that is currently pending.